



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
COCOA REGULATORY FIELD OFFICE  
400 HIGH POINT DRIVE, SUITE 600  
COCOA, FLORIDA 32926

Cocoa Permits Section  
SAJ-2007-3635 (IP-AWP)

MAY 11 2009

Florida Department of Transportation, District 3  
Attn: Joy Giddens  
P.O. Box 607  
Chipley, Florida 32428

Dear Ms. Giddens:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM  
THE APPROVED PLANS ENCLOSED.

Sincerely,

  
David S. Hobbie  
Chief, Regulatory Division

Enclosures

Copies Furnished:

FWS, Panama City  
EPA, Atlanta  
NMFS, St. Pete  
NWFWM  
CESAJ-RD-PE

# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Florida Department of Transportation, District 3  
Attn: Joy Giddens  
P.O. Box 607  
Chipley, Florida 32428

**Permit No:** SAJ-2007-3635 (IP-AWP)

**Issuing Office: U.S. Army Engineer District, Jacksonville**

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** The placement of clean fill material into 7.21 acres of waters of the United States (wetlands) and 0.37 acre of isolated wetlands for the widening of SR-79 (FPN # 220773-4-52-01). Wetlands "A" and 12 are not within the U.S. Army Corps of Engineers jurisdiction pursuant to the Supreme Court decision, Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, 531 U.S. 159 (2001) (SWANCC). The work described above is to be completed in accordance with the 3 attachments affixed at the end of this permit instrument.

**Project Location:** The project involves the widening of approximately 6.5 miles of State Road (SR) 79 from Strickland Road to Potter Springs Road. The proposed widening will impact unnamed wetlands adjacent to SR 79 as well as a crossing over Mill Creek (A.K.A. Reedy Creek). The project is located in Sections 03, 04, & 09, Township 01 North, Range 16 West, and Section 34, Township 02 North, Range 16 West, Washington County, Florida.

**Directions to site:** North on SR 79, project area begins just north of SR 20 in Ebro, continue northward on SR 79, approximately 6.5 miles.

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PERMITTEE: FDOT - District 3  
PAGE 2 of 10

**Latitude & Longitude:**

Begin: Latitude 30°27'6.59" N      End: Latitude 30°27'6.59" N  
Longitude 85°52'25.40" W      Longitude 85°50'9.91" W

**Permit Conditions**

**General Conditions:**

1. The time limit for completing the work authorized ends on **May 5, 2014**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this

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PERMITTEE: FDOT - District 3  
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permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232 and US Army Corps of Engineers, Cocoa Regulatory Field Office, Attn: Andrew Phillips, 400 High Point Drive, Suite 600, Cocoa, Florida 32926. The Permittee shall reference this permit number, SAJ-2008-1195(IP-AWP), on all submittals.

2. The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

3. Wetland impacts for this project will be mitigated through the Northwest Florida Umbrella, Watershed-Based, Regional Mitigation Plan (PLAN), as defined in the agreement between the Northwest Florida Water Management District (NFWFMD) and the U.S. Army Corps of Engineers (Corps), Jacksonville District, July 31, 2006.

4. Within 30 days from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs, the Permittee shall provide verification to the Corps that 7.6 federal mitigation bank credits have been deducted from the Sand Hill Lakes Mitigation Bank SAJ-2002-5061(NW-DEB) federal ledger. The required verification shall reference this project's permit number (SAJ-2007-3635(IP-AWP)).

5. A representative of the Corps will be allowed to inspect the authorized activity at any time deemed necessary to ensure that

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PERMITTEE: FDOT - District 3  
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it is being or has been accomplished in accordance with the terms and conditions of this permit.

6. Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

7. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures around all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

8. If the James L. Knight Family Trust parcel, located north of State Road 20 and traversed by State Road 79, should complete "Sector Planning" prior to roadway construction, and it is determined the Reedy Branch will be a suitable wildlife corridor by state and federal resource agencies, the Permittee will assist the landowner in design of a wildlife fence. The fence shall meet FDOT standards and tie into the existing bridge network. The Permittee will maintain the fence in perpetuity. The adjacent landowner would be responsible for the purchase and installation of the fence.

9. Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show

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all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899  
(33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

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PERMITTEE: FDOT - District 3  
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d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

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c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

PERMIT NUMBER: SAJ-2007-3635(IP-AWP)

PERMITTEE: FDOT - District 3

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Joy Giddens  
(PERMITTEE)

5/1/09  
(DATE)

Joy Giddens - FDOT Permits Coordinator  
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

\_\_\_\_\_  
(DISTRICT ENGINEER)  
Paul L. Grosskruger  
Colonel, U.S. Army  
District Commander

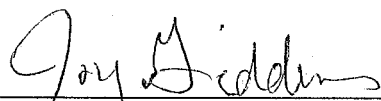
\_\_\_\_\_  
(DATE)

PERMIT NUMBER: SAJ-2007-3635(IP-AWP)

PERMITTEE: FDOT - District 3

PAGE 8 of 10

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE)

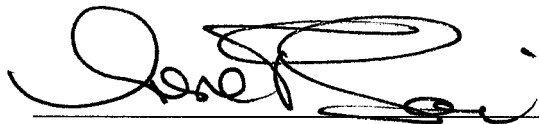
5/1/09

(DATE)

Joy Giddens - FDOT Permits Coordinator

(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(DISTRICT ENGINEER)

Paul L. Grosskruger

Colonel, U.S. Army

District Commander

11 MAY 09

(DATE)

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PERMITTEE: FDOT - District 3  
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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

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(TRANSFEE-SIGNATURE)

---

(DATE)

---

(NAME-PRINTED)

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(ADDRESS)

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(CITY, STATE, AND ZIP CODE)

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PERMITTEE: FDOT - District 3  
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***Attachments to Department of the Army  
Permit Number SAJ-2007-3635(IP-AWP)***

1. PERMIT DRAWINGS: 19 pages, dated 7/9/08
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 42 pages.
3. As-Built Certification: 1 page

# COMPONENTS OF CONTRACT PLANS SET

- ROADWAY PLANS
- SIGNING AND PAVEMENT MARKING PLANS
- LANDSCAPE PLANS
- STRUCTURE PLANS

A DETAILED INDEX APPEARS ON THE KEY SHEET OF EACH COMPONENT

## INDEX OF ROADWAY PLANS

| SHEET NO. | SHEET DESCRIPTION                             |
|-----------|---|
| 1         | KEY SHEET                                     |
| 2 - 4     | SUMMARY OF PAY ITEMS                          |
| 5         | FLOOD DATA                                    |
| 6 - 9     | TYPICAL SECTION                               |
| 10 - 11   | TYPICAL SECTION DETAILS                       |
| 12 - 23   | SUMMARY OF QUANTITIES                         |
| 24 - 29   | SUMMARY OF DRAINAGE STRUCTURES                |
| 30 - 33   | OPTIONAL MATERIALS TABULATION                 |
| 34 - 38   | PROJECT LAYOUT                                |
| 39 - 42   | PROJECT CONTROL                               |
| 43        | GENERAL NOTES                                 |
| 44 - 118  | ROADWAY PLAN/PROFILES                         |
| 119 - 145 | DITCH PROFILES                                |
| 146 - 153 | DRIVEWAY PROFILES                             |
| 154 - 160 | PIEDRAZAL PROFILES                            |
| 161 - 163 | PIEDRAZAL PROFILES                            |
| 164 - 192 | DRAINAGE STRUCTURES                           |
| 193       | LATERAL DITCH PLAN/PROFILE                    |
| 194 - 195 | POND DETAILS                                  |
| 196 - 276 | ROADWAY DETAILS                               |
| 277 - 282 | OVERBUILD DETAILS                             |
| 283 - 286 | ROADWAY SOIL SURVEY                           |
| 287       | STORMWATER PONDS SOIL SURVEY                  |
| 288       | REPORT OF POND BORINGS                        |
| 289 - 302 | REPORT OF EMBANKMENT BORINGS                  |
| 303 - 304 | CROSS SECTIONS                                |
| 305 - 421 | STORMWATER POLLUTION PREVENTION PLANS (SWPPP) |
| 422 - 427 | NOT / T/C                                     |
| 428 - 501 | WETLANDS                                      |
| 502 - 509 |   |

GOVERNING STANDARDS AND SPECIFICATIONS:  
FLORIDA DEPARTMENT OF TRANSPORTATION,  
DESIGN STANDARDS DATED 2008,  
AND STANDARD SPECIFICATIONS FOR ROAD AND  
BRIDGE CONSTRUCTION DATED 2001,  
AS AMENDED BY CONTRACT DOCUMENTS.

APPLICABLE DESIGN STANDARDS MODIFICATIONS: 01-01-08

For Design Standards Modifications click on "Design Standards" at the following web site:  
<http://www.dot.state.fl.us/10080101/>

REVISIONS

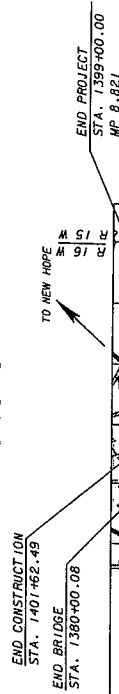
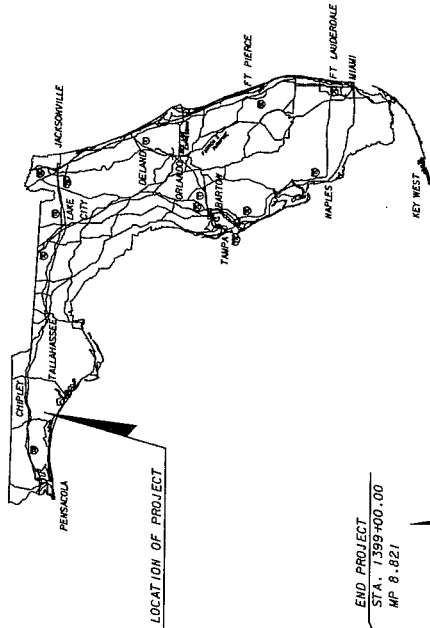
# STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

## CONTRACT PLANS

FINANCIAL PROJECT ID 220773-4-52-01

WASHINGTON COUNTY (61040)

STATE ROAD NO. 79



BEGIN BRIDGE  
STA. 1375+99.92

END BRIDGE  
STA. 1380+00.08

END CONSTRUCTION  
STA. 1401+62.49

END PROJECT  
STA. 1359+00.00  
MP 8.821

BEGIN PROJECT  
STA. 1056+35.68  
MP 2.332

BEGIN CONSTRUCTION  
STA. 1877+75.00

ROADWAY SHOP DRAWINGS  
TO BE SUBMITTED TO:

DAVID H. MELVIN, INC.  
4428 LAFAYETTE STREET  
TALLAHASSEE, FLORIDA 32346  
(904) 488-3045

DAVID H. MELVIN, P.E.  
CERTIFICATE OF AUTHORIZATION NO. EB-0005537

PLANS PREPARED BY:

DAVID H. MELVIN, INC.  
CONSULTING ENGINEERS  
4428 LAFAYETTE STREET  
TALLAHASSEE, FLORIDA 32346  
(904) 488-3045

DAVID H. MELVIN, P.E.  
CERTIFICATE OF AUTHORIZATION NO. EB-0005537

CONTRACT NO. C-8645

NOTE: THE SCALE OF THESE PLANS MAY  
HAVE CHANGED DUE TO REPRODUCTION.

U.S. Army Corps of Engineers  
Permit # SAT-2007-3635  
Date: 3/16/09  
Attachment: 1

PROJECT LENGTH IS BASED ON E OF CONSTRUCTION

| LENGTH OF PROJECT       |             |       |
|-------------------------|-------------|-------|
|                         | LINEAR FEET | MILES |
| ROADWAY                 | 33,864.16   | 6.413 |
| BRIDGES                 | 400.16      | 0.076 |
| NET LENGTH OF PROJECT   | 34,264.32   | 6.489 |
| EXCEPTIONS              |             |       |
| GROSS LENGTH OF PROJECT | 34,264.32   | 6.489 |

DDOT PROJECT MANAGER: BRENT KING, P.E.

| KEY SHEET REVISIONS |             |
|---------------------|-------------|
| DATE                | DESCRIPTION |
|                     |             |

ROADWAY PLANS  
ENGINEER OF RECORD  
DAVID H. MELVIN, P.E.  
P.E. NO. 5102

|                |    |
|----------------|----|
| FISCAL<br>YEAR | 10 |
| SHEET<br>NO.   | 1  |

SR 79 MULTILANE CONSTRUCTION FROM STOCKLAND RD. TO NORTH OF REED BRANCH.

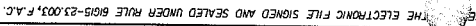
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| REVISIONS | DESCRIPTION |
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[illegible]

ENGINEER OF RECORD:  
LEON E. NOBLES III, P. E.

**DAVID H. MELVIN, INC.**  
*Consulting Engineers*  
4428 LAFAYETTE STREET  
MIAMI, FL 33147  
(850) 462-3095

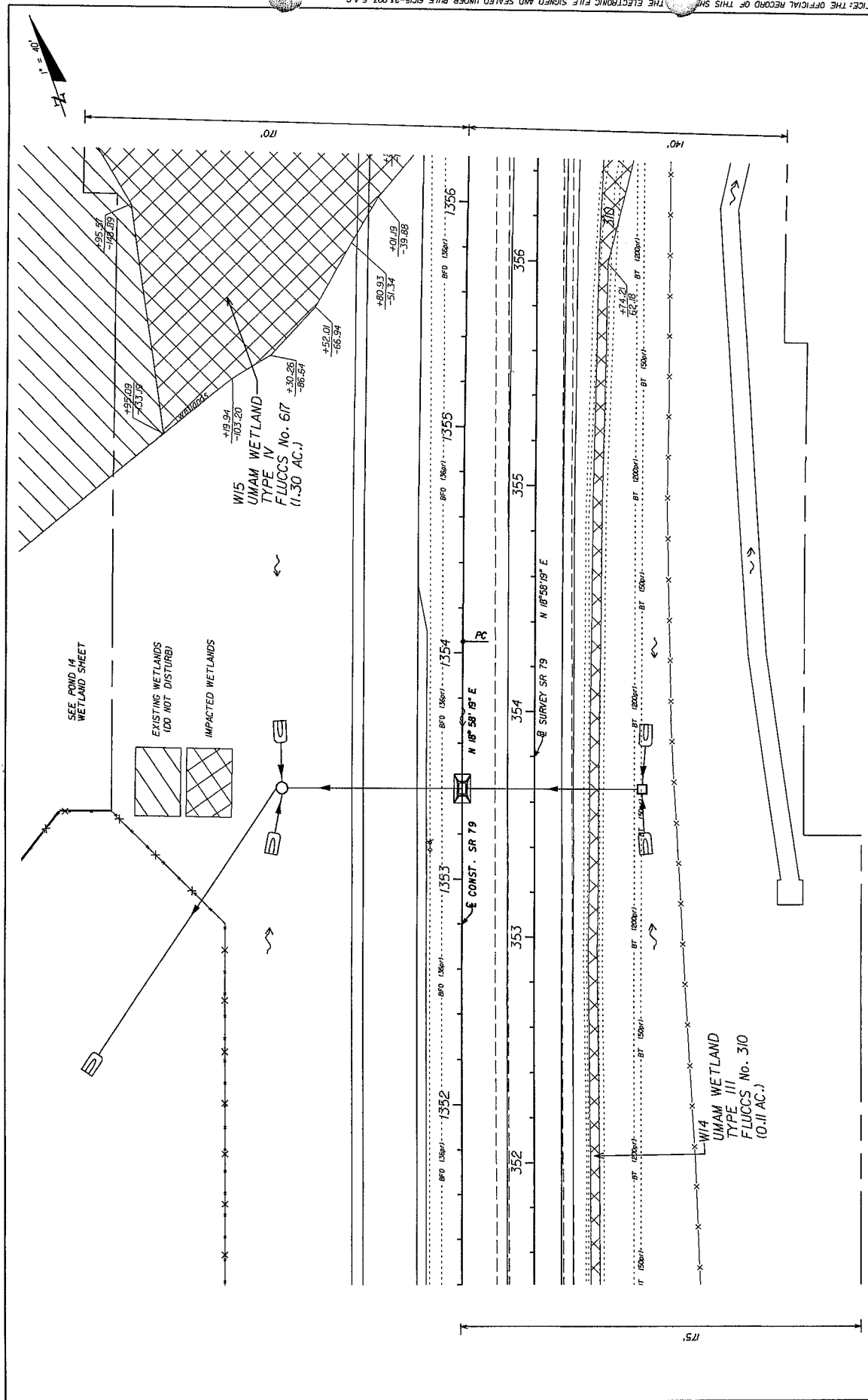
| STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION |            |                      |
|--|------------|----------------------|
| ROAD NO.   | COUNTY     | FINANCIAL PROJECT ID |
| SR 79  | WASHINGTON | 220773-4-52-01       |

|  |           |     |
|--|-----------|-----|
| <p style="text-align: center;"><b>WETLANDS</b></p> <p style="text-align: center;"><b>STA. 1339460 TO 1345420</b></p> | SHEET NO. | 606 |
|  |           |     |

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MAR 26 2008





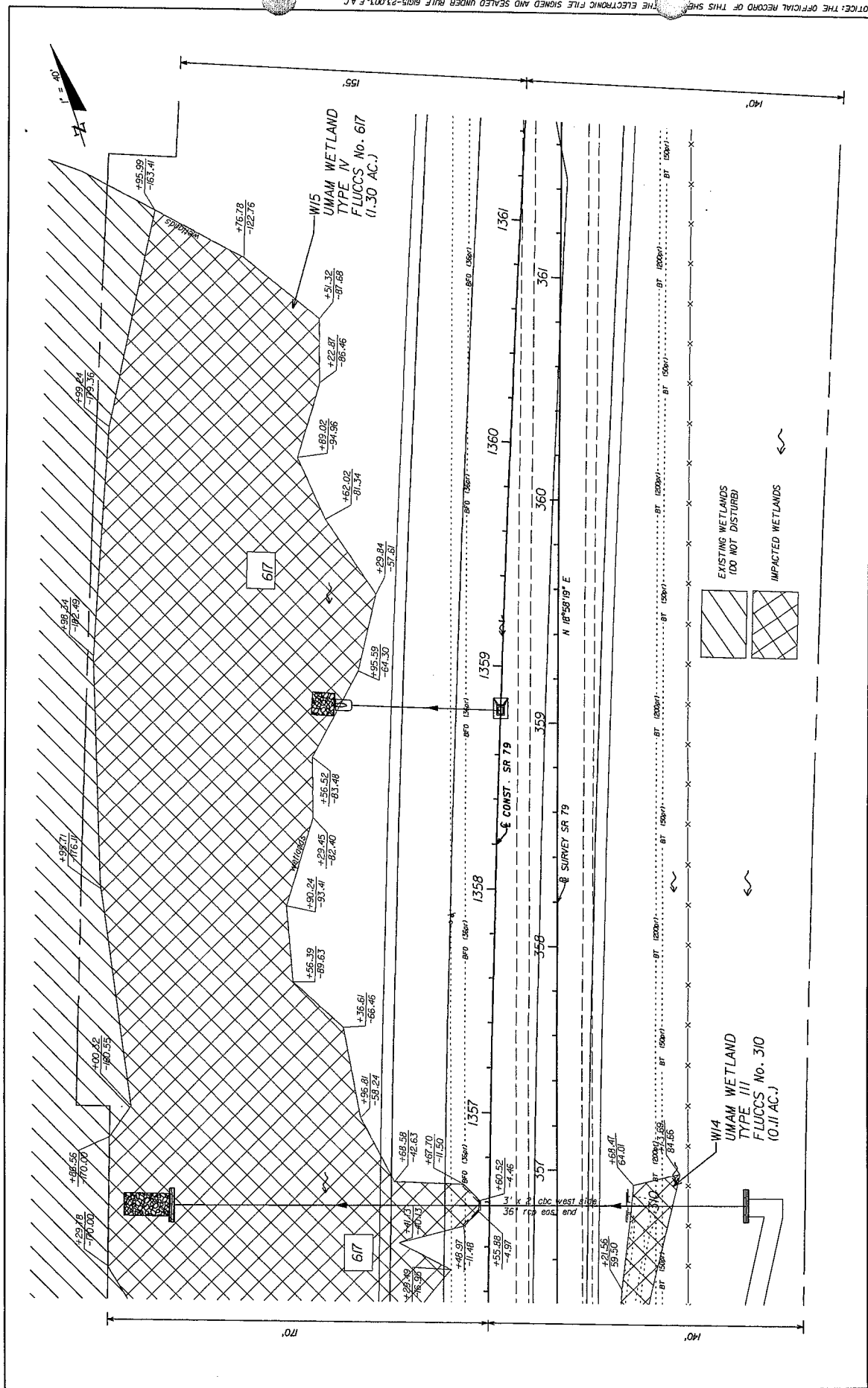
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|-----------|----|--|--|-----------|
| DATE      | BY |  |  |           |
|           |    | LEON E. MOLES III, P.E.<br>No. 5452  | ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 220773-4-52-01 | 608       |
|           |    | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>4401 W. 11th Street<br>Boca Raton, FL 33431<br>888-462-7945<br>CERTIFICATE OF AUTHORIZATION No. 62-000557 | WETLANDS<br>STA. 1351+20 TO 1356+20  |           |

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| DATE   | BY | REVISIONS | DESCRIPTION |
|--|----|-----------|-------------|
|  |    |           |             |
| <div> <div> <div> <div>STATE OF FLORIDA</div> <div>DEPARTMENT OF TRANSPORTATION</div> </div> <div> <div>ROAD NO.</div> <div>SR 79</div> </div> <div> <div>COUNTY</div> <div>WASHINGTON</div> </div> <div> <div>FINANCIAL PROJECT ID</div> <div>220773-4-52-01</div> </div> </div> <div> <div> <div>ENGINEER OF RECORD:</div> <div>LEON E. MOLES III, P.E.</div> <div>No. 5452</div> </div> <div> <div>DAVID H. MELVIN, INC.</div> <div>Consulting Engineers</div> <div>4801 W. W. W. STREET</div> <div>WADSWORTH, GA 30090-0234</div> <div>CERTIFICATE OF AUTHORIZATION No. 61-000067</div> </div> </div> </div> |    |           |             |
| <div> <div>WETLANDS</div> <div>STA. 1356+20 TO 1361+20</div> </div>  |    |           |             |
| <div> <div>SHEET NO.</div> <div>609</div> </div>   |    |           |             |

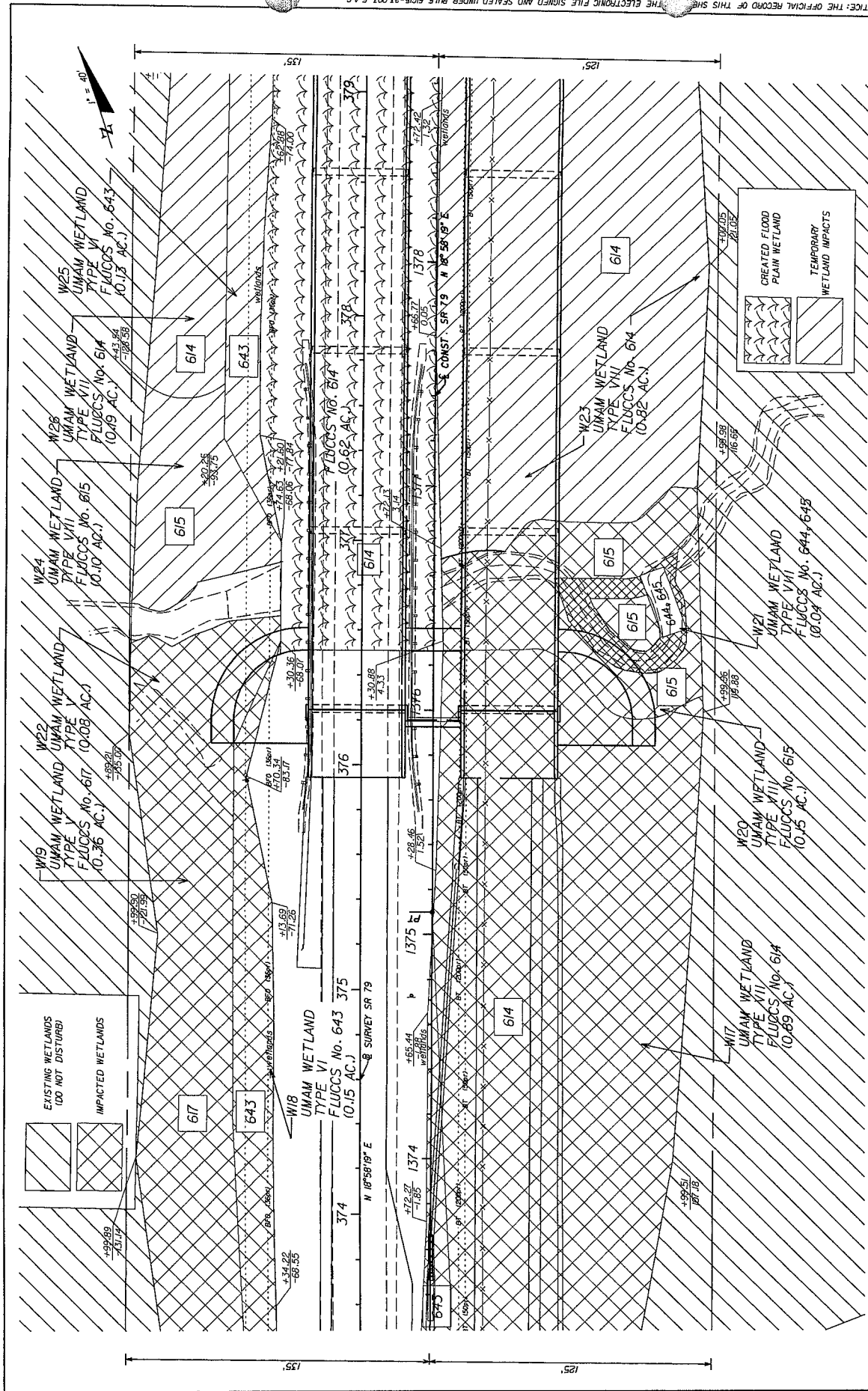
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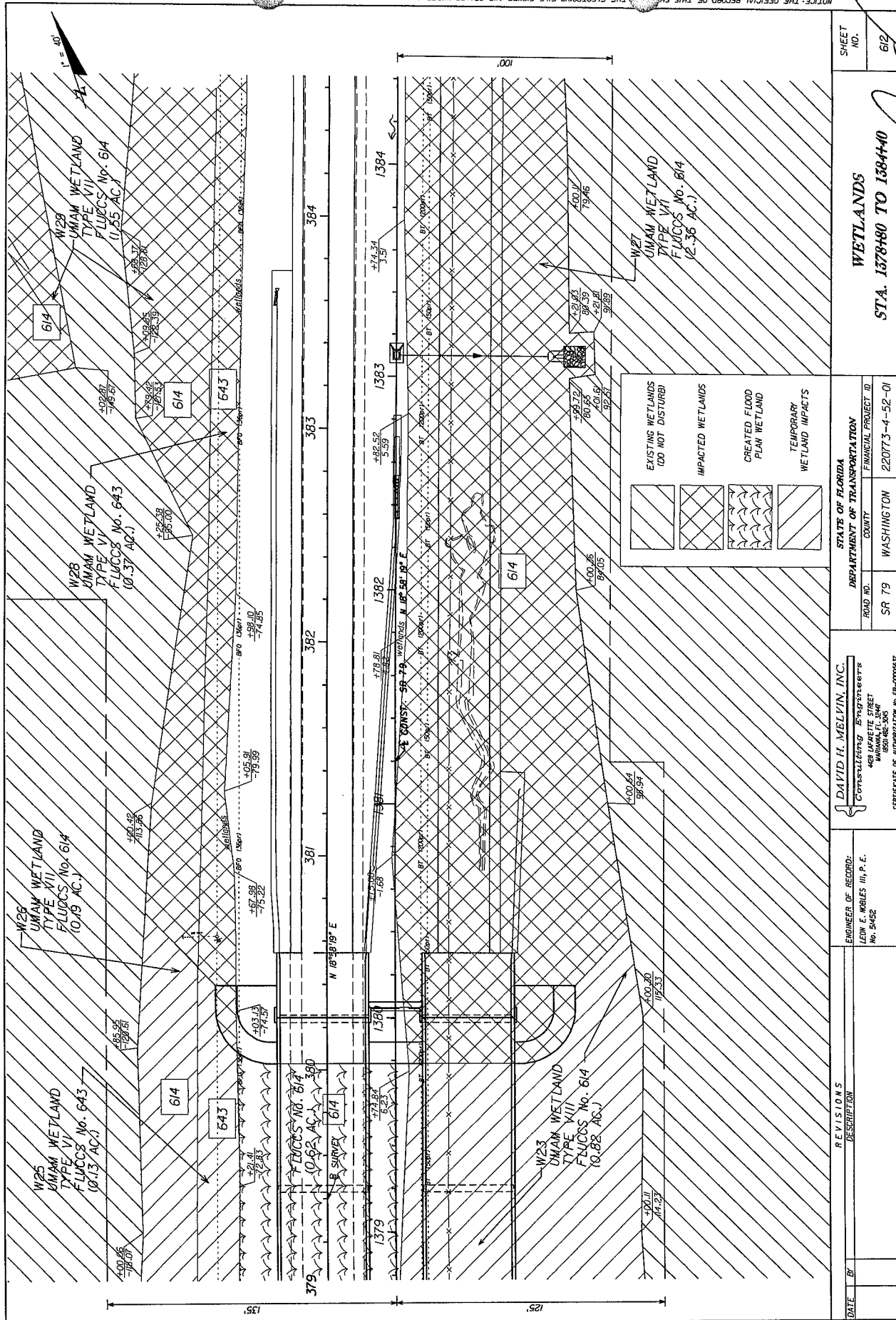
MAR 26 2008





| REVISIONS |    | ENGINEER OF RECORD: |                        | DAVID H. MELVIN, INC.     |                      | STATES OF FLORIDA |            | WETLANDS             |                         | SHEET                                      |     |
|-----------|----|---------------------|------------------------|---------------------------|----------------------|-------------------|------------|----------------------|-------------------------|--|-----|
| DATE      | BY | DESCRIPTION         | LEW E. MOLES III, P.E. | CORRESPONDENCE: ENGINEERS | WASHINGTON, FL 32801 | ROAD NO.          | COUNTY     | FINANCIAL PROJECT ID | STA. 1373+25 TO 1378+80 | NO.  | NO. |
|           |    |                     | No. 5452               | 488 W. W. 1ST STREET      | WASHINGTON, FL 32801 | SR 79             | WASHINGTON | 220773-4-52-01       |                         | 611  | 611 |
|           |    |                     |                        |                           |                      |                   |            |                      |                         | 12/20/2007                                 |     |
|           |    |                     |                        |                           |                      |                   |            |                      |                         | 317.09 AM                                  |     |
|           |    |                     |                        |                           |                      |                   |            |                      |                         | F:\007\220773\520773\Wetlands\Wetlands.dwg |     |

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MAR 26 2008

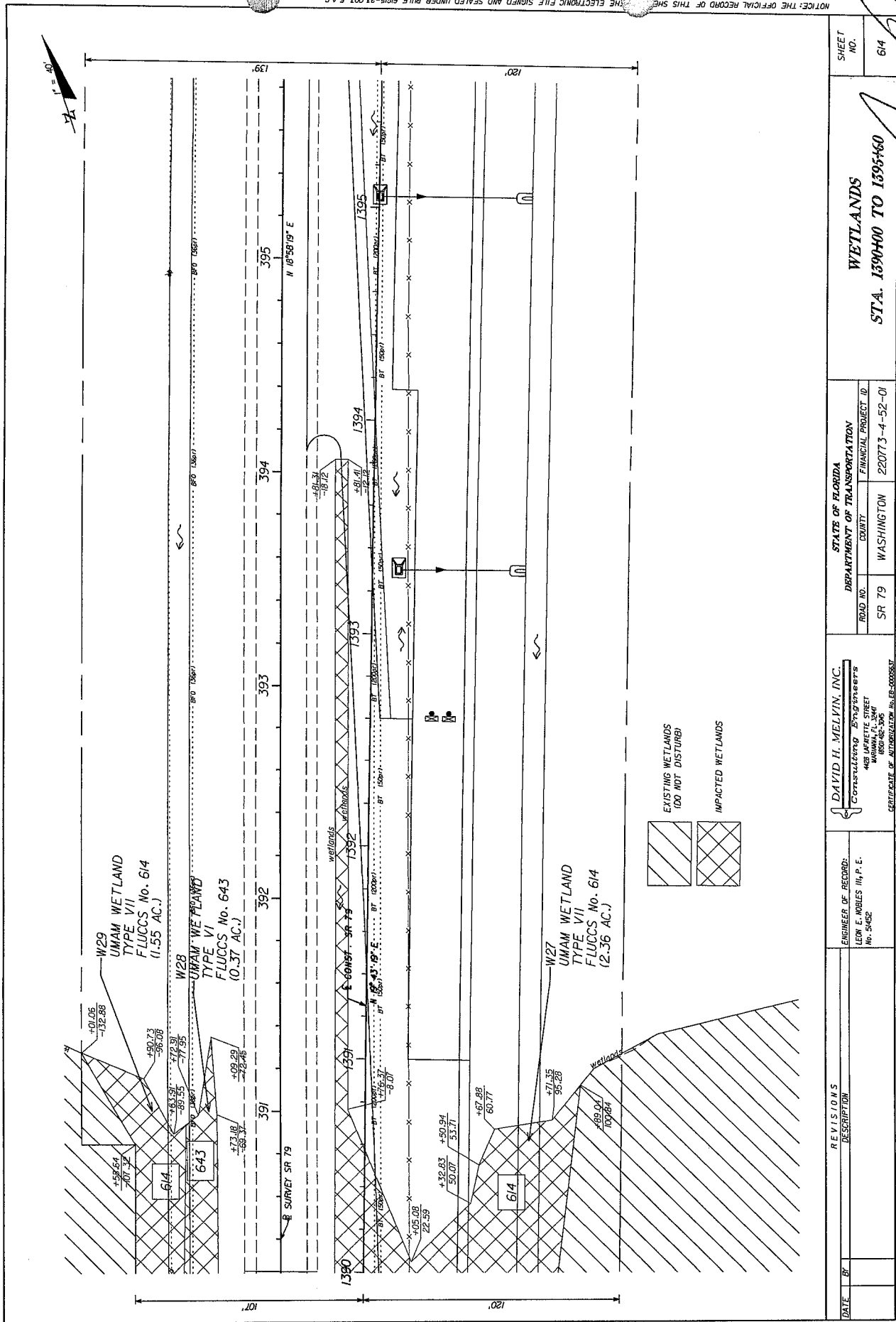


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MAR 26 2008

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 69F-25.003, F.A.C.



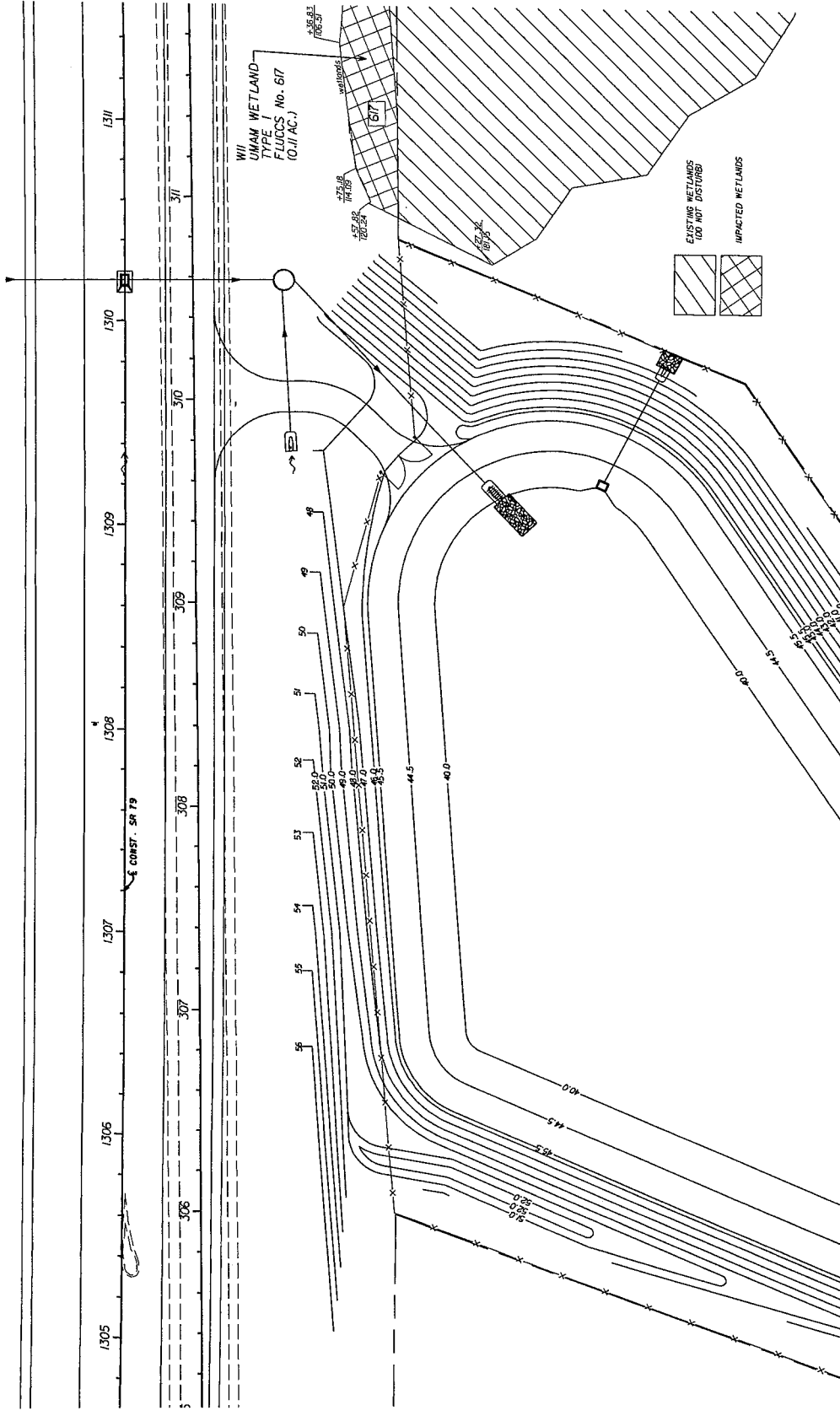


| REVISIONS |    | ENGINEER OF RECORD:                   |  | DAVID H. MELVIN, INC.  |  | STATE OF FLORIDA             |  | WETLANDS                |  | SHEET NO. |  |
|-----------|----|---------------------------------------|--|--|--|------------------------------|--|-------------------------|--|-----------|--|
| DATE      | BY | LEON E. MOILES III, P.E.<br>No. 54452 |  | Consulting Engineers<br>445 IMPERIAL STREET<br>MIAMI, FL 33134<br>(305) 482-1905 |  | DEPARTMENT OF TRANSPORTATION |  | STA. 1390+00 TO 1395+60 |  | 614       |  |
|           |    |                                       |  | CERTIFICATE OF AUTHORIZATION No. EB-0005587                                      |  | ROAD NO.                     |  | FINANCIAL PROJECT ID    |  |           |  |
|           |    |                                       |  |  |  | SR 79                        |  | 220773-4-52-01          |  |           |  |
|           |    |                                       |  |  |  | COUNTY                       |  | WASHINGTON              |  |           |  |
|           |    |                                       |  |  |  | 12/20/2007                   |  | 877.35' AL              |  |           |  |

SAT-2007-3635  
14 of 19

MAP 2008

1" = 50'



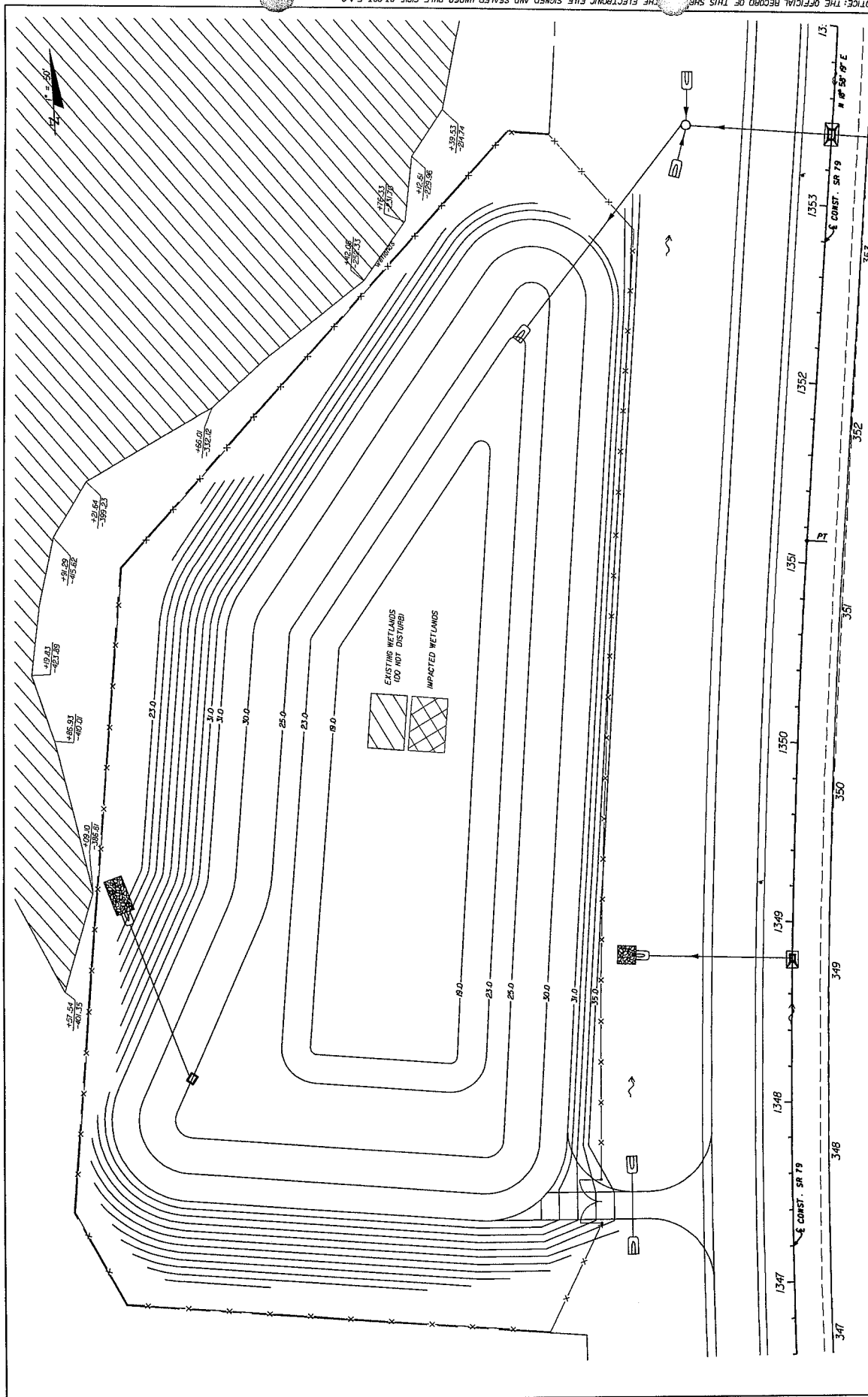
THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 6105-23.003, F.A.C.

|                       |  |            |  |                              |  |             |  |
|-----------------------|--|------------|--|------------------------------|--|-------------|--|
| DATE                  |  | BY         |  | REVISIONS                    |  | DESCRIPTION |  |
| ENGINEER OF RECORD:   |  |            |  | LEON E. MOLES III, P.E.      |  |             |  |
| No. 5452              |  |            |  | No. 5452                     |  |             |  |
| DAVID H. MELVIN, INC. |  |            |  | Consulting Engineers         |  |             |  |
| 400 WEST STREET       |  |            |  | BIRMINGHAM, AL 35201         |  |             |  |
| 1952-02-2005          |  |            |  | 1952-02-2005                 |  |             |  |
| STATE OF FLORIDA      |  |            |  | DEPARTMENT OF TRANSPORTATION |  |             |  |
| ROAD NO.              |  | COUNTY     |  | FINANCIAL PROJECT ID         |  | SHEET NO.   |  |
| SR 79                 |  | WASHINGTON |  | 22073-4-52-01                |  | 85          |  |
| 12/20/2007            |  |            |  | 8/7/23 AM                    |  |             |  |
| 12/20/2007            |  |            |  | 8/7/23 AM                    |  |             |  |

WETLANDS  
POND II

SAJ-2007-3635  
15 of 19

MAY 26 2008

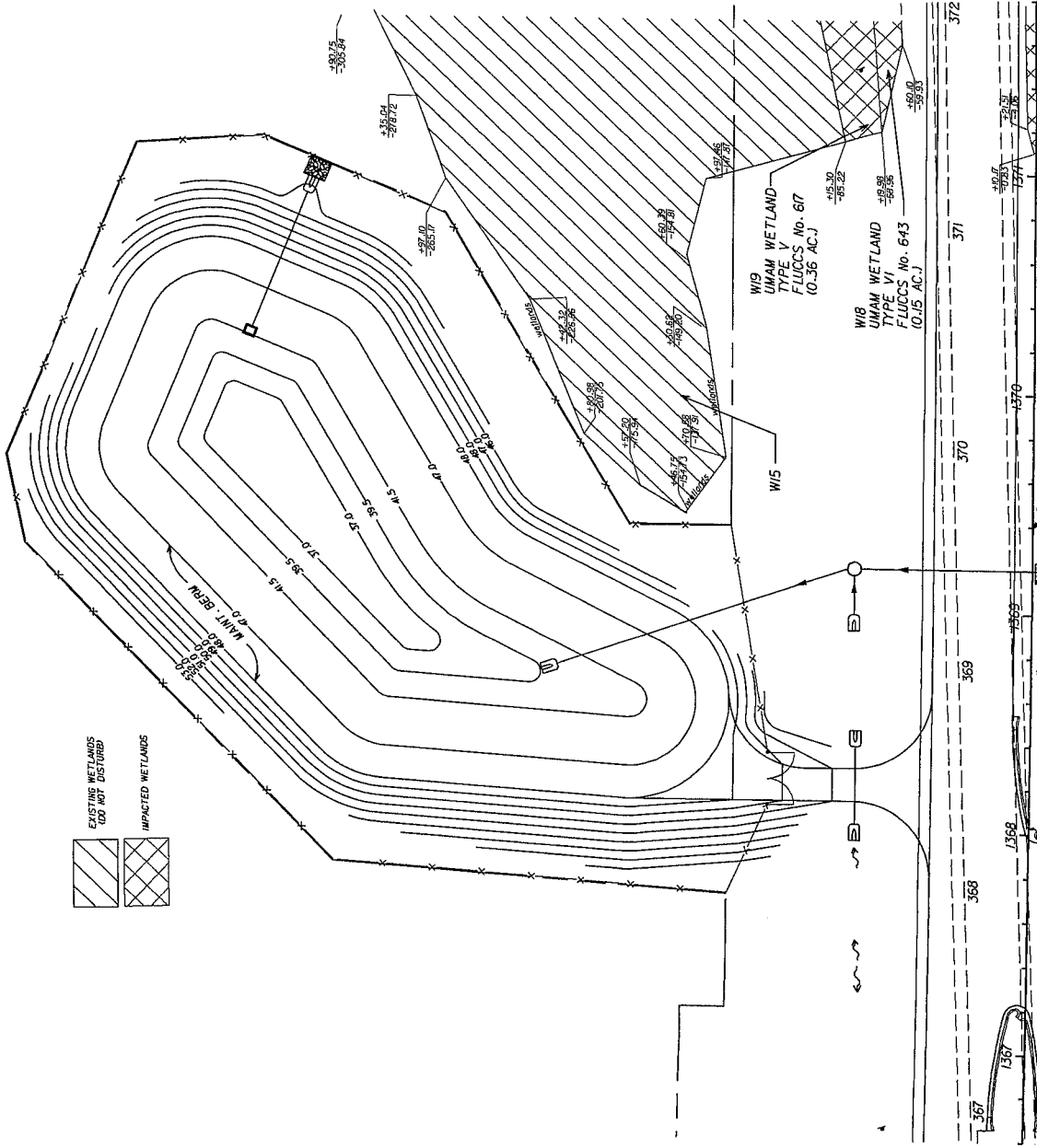


| DATE |  | BY |  | REVISIONS |  | DESCRIPTION |  |
|------|--|----|--|-----------|--|-------------|--|
|      |  |    |  |           |  |             |  |

|                          |  |  |  |                              |  |                      |  |
|--------------------------|--|--|--|------------------------------|--|----------------------|--|
| ENGINEER OF RECORD:      |  | DAVID H. MELVIN, INC.                        |  | STATES OF FLORIDA            |  | WETLANDS             |  |
| LEON E. NUBLES III, P.E. |  | Consulting Engineers                         |  | DEPARTMENT OF TRANSPORTATION |  | POND 14              |  |
| No. 54452                |  | 400 W. WILSON STREET                         |  | ROAD NO.                     |  | SHEET NO.            |  |
|                          |  | WASHINGTON, D.C. 20007                       |  | SR 79                        |  | 616                  |  |
|                          |  | 1930-1992-1995                               |  | COUNTY                       |  | FINANCIAL PROJECT ID |  |
|                          |  | CERTIFICATE OF AUTHORIZATION No. 48-00000000 |  | WASHINGTON                   |  | 220773-4-52-01       |  |
|                          |  |  |  | 12/20/2007                   |  | 897.25 NM            |  |

SAT-2007-3675  
 16 of 19  
 MAR 26 2008

1" = 50'



EXISTING WETLANDS  
(DO NOT DISTURB)

IMPACTED WETLANDS

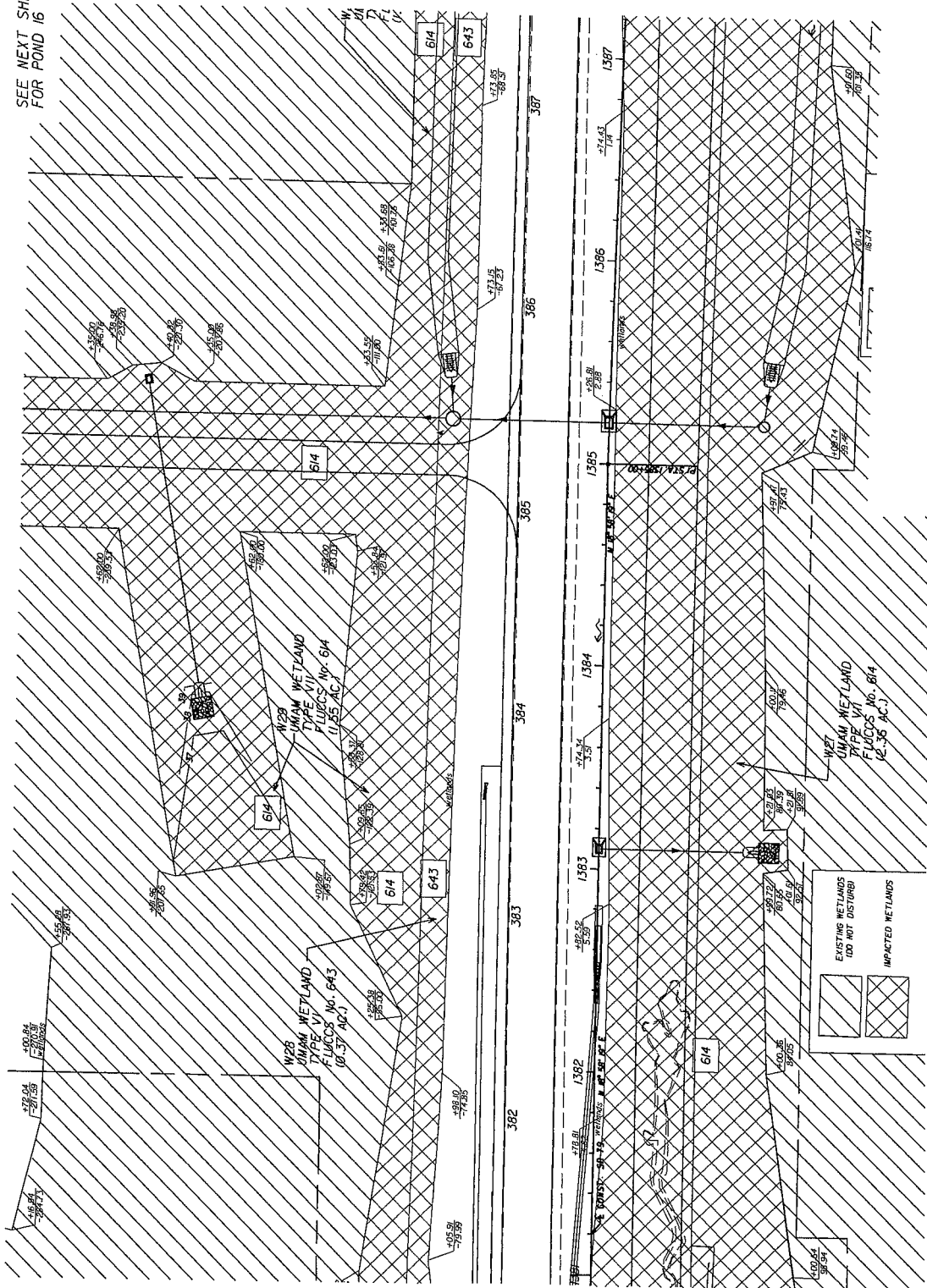
|   |  |          |  |   |  |                      |  |
|---|--|----------|--|---|--|----------------------|--|
| DATE  |  | 6/       |  | SHEET NO.   |  | 6/                   |  |
| REVISIONS   |  |          |  | WETLANDS<br>POND 15                               |  |                      |  |
| DESCRIPTION   |  |          |  | STATES OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION |  |                      |  |
| ENGINEER OF RECORD:   |  | ROAD NO. |  | COUNTY  |  | FINANCIAL PROJECT ID |  |
| LEON E. MOLES III, P.E.<br>No. 5452   |  | SR 79    |  | WASHINGTON  |  | 22073-4-52-01        |  |
| CONSULTING ENGINEER'S<br>DAVID H. MELVIN, INC.<br>4800 W. BAYVIEW BLVD.<br>SUITE 200<br>MIAMI, FL 33149<br>(305) 486-3065<br>CERTIFICATE OF AUTHORIZATION No. CE-000557 |  |          |  | 12/20/2007 8:28 AM                                |  |                      |  |

SAT-2007-3635

17 of 19

MAR 28 2008

SEE NEXT SHEET FOR  
POND 16



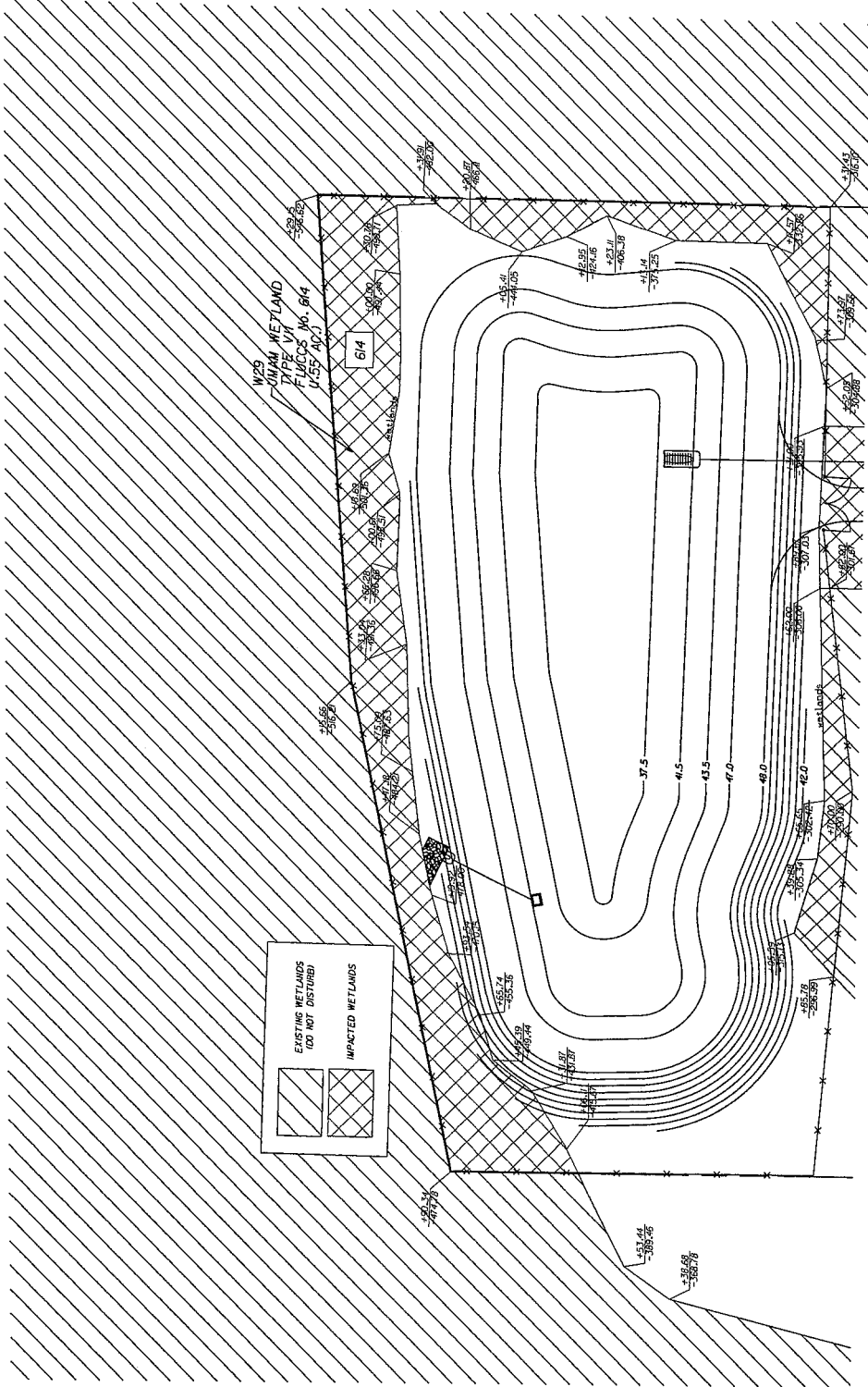
| DATE | BY | REVISIONS<br>DESCRIPTION | ENGINEER OF RECORD:<br>LEW E. MOLES III, P.E.<br>No. 5452 | DAVID H. MELVIN, INC.<br>CONSULTING ENGINEERS<br>4800 W. STATE STREET<br>SUITE 110<br>TAMPA, FL 33606<br>850-882-3065<br>CERTIFICATE OF AUTHORIZATION No. EC-000587 | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 220773-4-52-01 | WETLANDS<br>POND 16 | SHEET<br>NO. 618 |
|------|----|--------------------------|---|---|--|---------------------|------------------|
|------|----|--------------------------|---|---|--|---------------------|------------------|

F:\001\220773\5207\wetlands.dwg

12/20/2007 8:41:33 AM

SAT-2007-3635  
18 of 19  
MAR 28 2008

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 6815-23.003, F.A.C.



SEE PREVIOUS SHEET FOR  
EAST END OF POND 16 ROAD

| REVISIONS |    | ENGINEER OF RECORD: |  | DAVID H. MELVIN, INC.               |  | STATE OF FLORIDA  |  | WETLANDS                     |  | SHEET          |  |
|-----------|----|---------------------|--|-------------------------------------|--|---|--|------------------------------|--|----------------|--|
| DATE      | BY | DESCRIPTION         |  | LEW E. NOBLES III, P.E.<br>No. 5452 |  | Consulting Engineers<br>400 JARRETT STREET<br>TALLAHASSEE, FL 32304<br>(850) 482-3945 |  | DEPARTMENT OF TRANSPORTATION |  | NO.            |  |
|           |    |                     |  |                                     |  |   |  | ROAD NO.                     |  | COUNTY         |  |
|           |    |                     |  |                                     |  |   |  | SR 79                        |  | WASHINGTON     |  |
|           |    |                     |  |                                     |  |   |  | FINANCIAL PROJECT ID         |  | 220773-4-52-01 |  |
|           |    |                     |  |                                     |  |   |  | W29                          |  | POND 16        |  |
|           |    |                     |  |                                     |  |   |  | FLECCS NO. 614               |  | 619            |  |
|           |    |                     |  |                                     |  |   |  | U-55 40.1                    |  | MAR 26 2008    |  |

SAS-2007-3635  
19 of 19



# Florida Department of Environmental Protection

Northwest District, Panama City Branch Office  
2353 Jenks Avenue  
Panama City, Florida 32405

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

## WETLAND RESOURCE PERMIT

### PERMITTEE/AUTHORIZED ENTITY:

Florida Department of Transportation,  
District Three Office  
Attn Joy Giddens  
1074 Hwy 90  
Chipley FL, 32428

### Permit/ Authorization Number:

67-0278545-001-DF  
Date of Issue: March 13, 2009  
Expiration Date: March 13, 2014  
County: Washington  
Project: Road widening

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain a Wetland Resource Permit. The Department is responsible for reviewing and taking final agency action on this activity.

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the enclosed 15 General Conditions and 15 Specific Conditions, which are a binding part of this permit.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

"More Protection, Less Process"  
[www.dep.state.fl.us](http://www.dep.state.fl.us)

U.S. Army Corps of Engineers  
Permit # 545-2007-3635  
Date: 3/16/09  
Attachment: 2



**ACTIVITY DESCRIPTION:**

The applicant, Florida Department of Transportation, District Three Office, applied on June 12, 2007, to the Department of Environmental Protection for a permit/water quality certification to impact 7.58 acres of jurisdictional wetlands and the temporary impact of 1.24 acres of jurisdictional wetlands for the widening of a two lane highway to four lanes with paved shoulders, reshaping side slopes, replacing box culverts with a bridge, extending cross drains, constructing stormwater ponds, and drainage conveyances, along existing SR 79.

**ACTIVITY LOCATION:**

The activity is located on SR 79 from 0.75 mile south of Reedy Creek to 0.25 mile south of Potters Spring Rd., Class III Waters of the State, Latitude: 30°31'30.11", Longitude 85°50'22.66", Section 3, 4 Township 1, 2 North, Range 16 West, Washington County, Florida.

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the

permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A

reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500).

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  1. the date, exact place, and time of sampling or measurements;
  2. the person responsible for performing the sampling or measurements;
  3. the dates analyses were performed;
  4. the person responsible for performing the analyses;
  5. the analytical techniques or methods used; and
  6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

**SPECIFIC CONDITIONS:**

1. If during the progress of this project prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section Chapter 872.05, Florida Statutes. The permittee shall contact Sherry Anderson at 850-245-6432 for work that relates to the *Ebro Cemetery* prior to initiating any project related land clearing or ground disturbing activities related to the *Ebro Cemetery*.

2. At least 48 hours prior to commencement of work authorized by this permit, the permittee shall notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Suite 202, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501-5794, in writing. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 595-8300 during normal working hours.

3. Best management practices for erosion control shall be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site.

The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

The following measures shall be taken by the permittee whenever turbidity levels, within waters of the State, exceed 29 nephelometric turbidity units (NTUs) above background level:

- a. Immediately cease all work contributing to the water quality violation.
- b. Stabilize all exposed soils contributing to the water quality violation, modify the work procedures that were responsible for the violation, install more turbidity containment devices and repair any non-functioning turbidity containment devices.

- c. Notify the Department of Environmental Protection (DEP), Northwest District, within 24 hours of the time the violation is first detected.
4. Substances in concentrations that injure, are chronically toxic to, or produce adverse physiological or behavioral response in humans, animals, or plants shall not be present.
5. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.
6. **This permit shall be readily available at the project site to any duly authorized representative of the Department, the U.S. Army Corps of Engineers, or any empowered law enforcement officer. A copy of this permit and associated drawings shall be clearly posted and remain on site at all times during the activities. In addition to having the permit on site, the permittee is required to have a weather resistant sign, no smaller than 8 ½ inches by 11 inches, that states DEP Permit No. 67-0278545-001-DF. This sign must be posted in such a location that it can be clearly seen from the road. This sign shall be posted on site for the duration of the construction authorized by this permit.**
7. All material used as fill for roadways shall be clean material and shall not be contaminated with vegetation, garbage, trash, tires, hazardous, toxic waste or other materials that are not suitable for road construction within waters of the State as so determined by the Department.
8. This permit does not authorize equipment or construction materials to be placed in jurisdictional wetlands. All wetland limits shall be flagged and identified prior to construction.
9. At no time during construction shall waterway diversions sever jurisdictional wetland connections.
10. The structure/work authorized by this permit shall not be placed /conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.
11. There shall be no storage or stockpiling of tools, materials (i.e., lumber, pilings, debris) within any wetlands, along the shoreline within the littoral zone or elsewhere within waters of the state unless specifically approved in the permit. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from any wetlands and waters of the state within 14 days of completion of the work authorized in this permit.
12. Prior to construction, the limits of the impacts authorized by this permit shall be clearly flagged and staked by the agent and/or contractor. All construction personnel

shall be shown the location(s) of all wetland areas outside the construction area to prevent encroachment from equipment into these areas.

Any damage to wetlands outside the permitted area shall be restored to pre-construction elevations and conditions within 30 days of completion of driveway and the Department shall be notified in writing of said incident.

13. All contractors involved in this permitted activity shall be provided copies of this permit in its entirety.

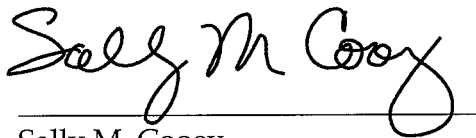
14. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings. Any modifications to the current project will have to be submitted to the Department as a permit modification prior to construction

**Mitigation Conditions:**

15. Mitigation Shall be associated with the Regional Mitigation Plan pursuant to OGC #99-1877 and Senate Bill 1986 (Chapter 373.4137, F.S.).

Executed in Bay County Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Sally M. Cooley  
Panama City Branch Administrator

Enclosure: Permit Drawings

cc: U.S. Army Corps of Engineers, [andrew.w.phillips@usace.army.mil](mailto:andrew.w.phillips@usace.army.mil)  
David H. Melvin Consulting Engineers [brianbearwood@melvineng.com](mailto:brianbearwood@melvineng.com)

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this permit  
including all copies were mailed or emailed before the close of business  
on the 13<sup>th</sup> of March, 2009 to the above listed persons.

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to 120.52(7),  
Florida Statutes, with the designated Department Clerk,  
receipt of which is hereby acknowledged.



Clerk

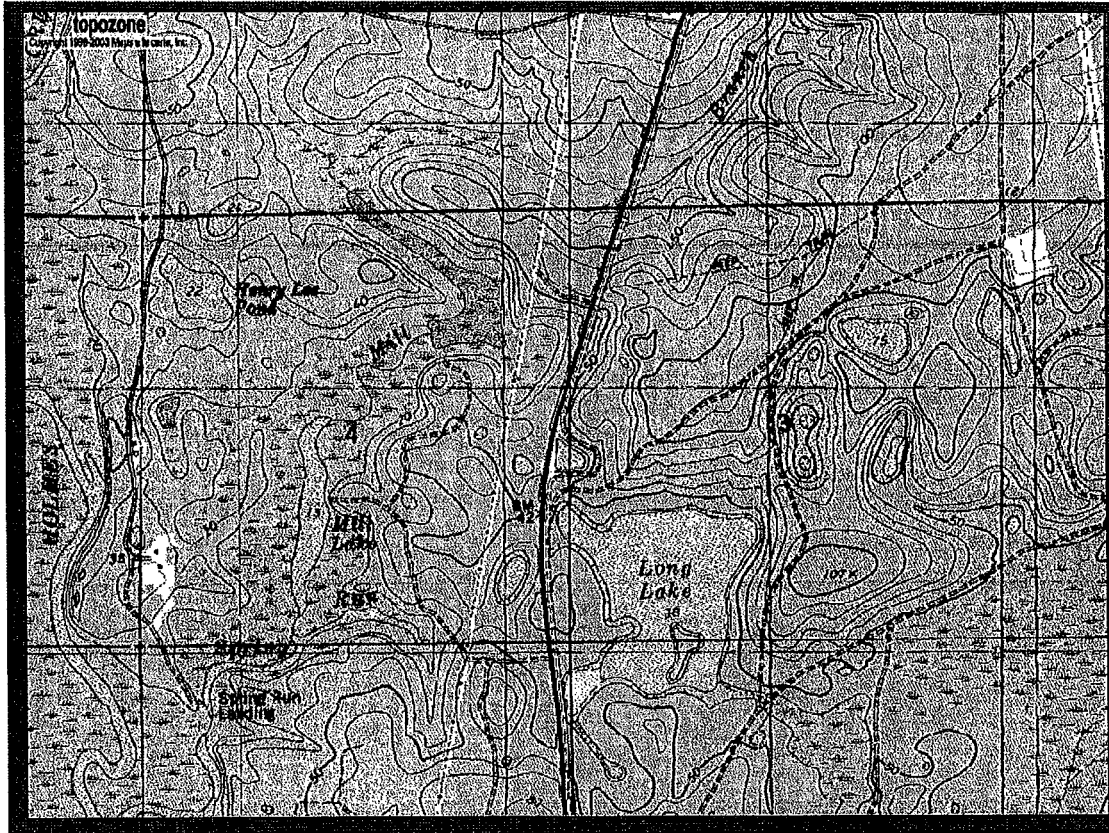
March 13, 2009

Date

Prepared By: Jeffrey E. Cole

34 pages enclosed

**TO NEW HOPE AND VERNON**



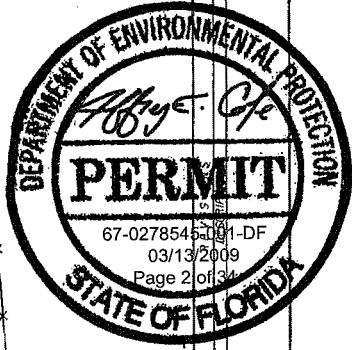
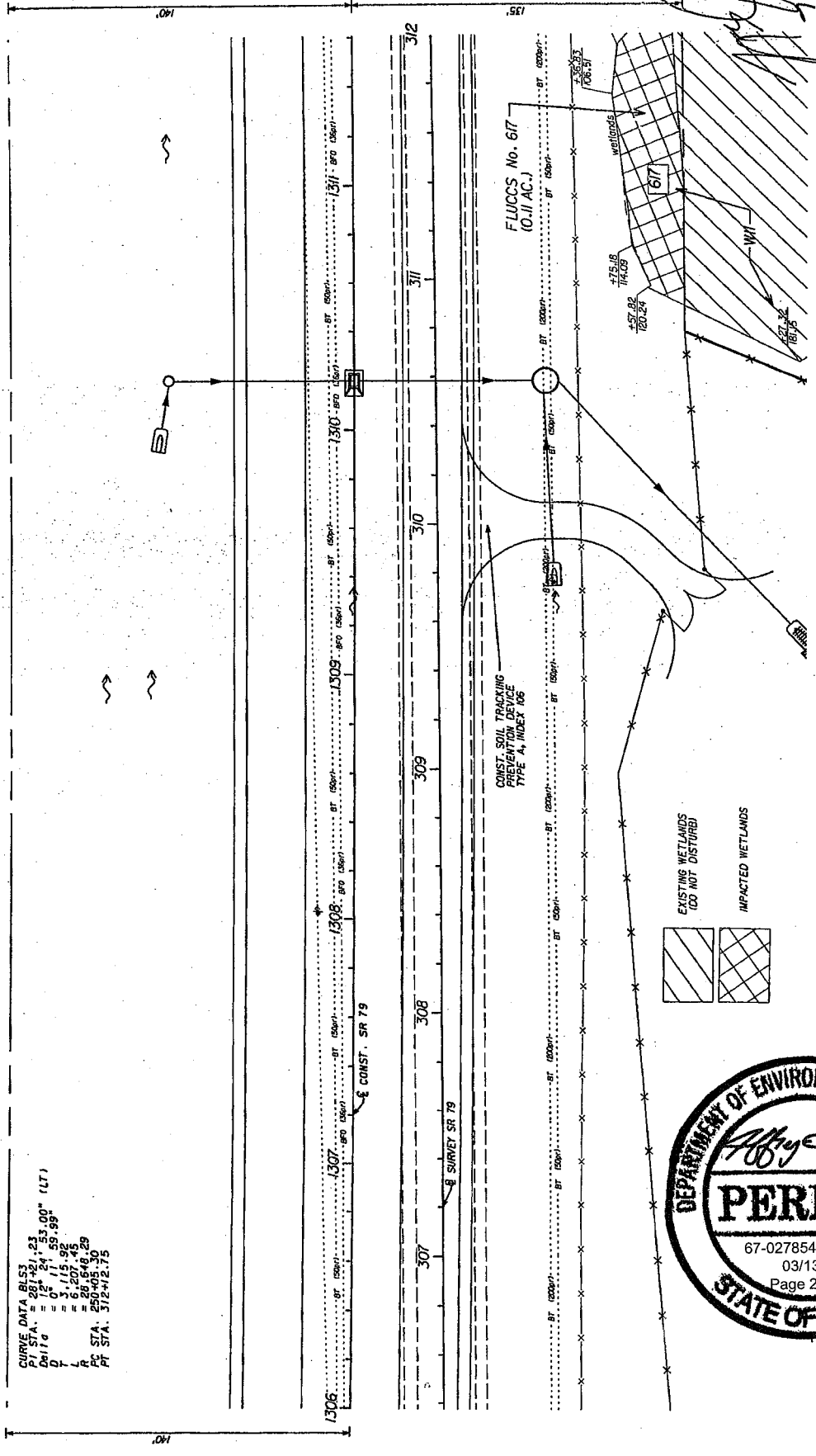
**SR 79 TO EBRO AND BEACHES**



**LOCATION MAP  
SR 79-4 WASHINGTON COUNTY  
DREDGE-FILL PERMIT APPLICATION**

1" = 40'

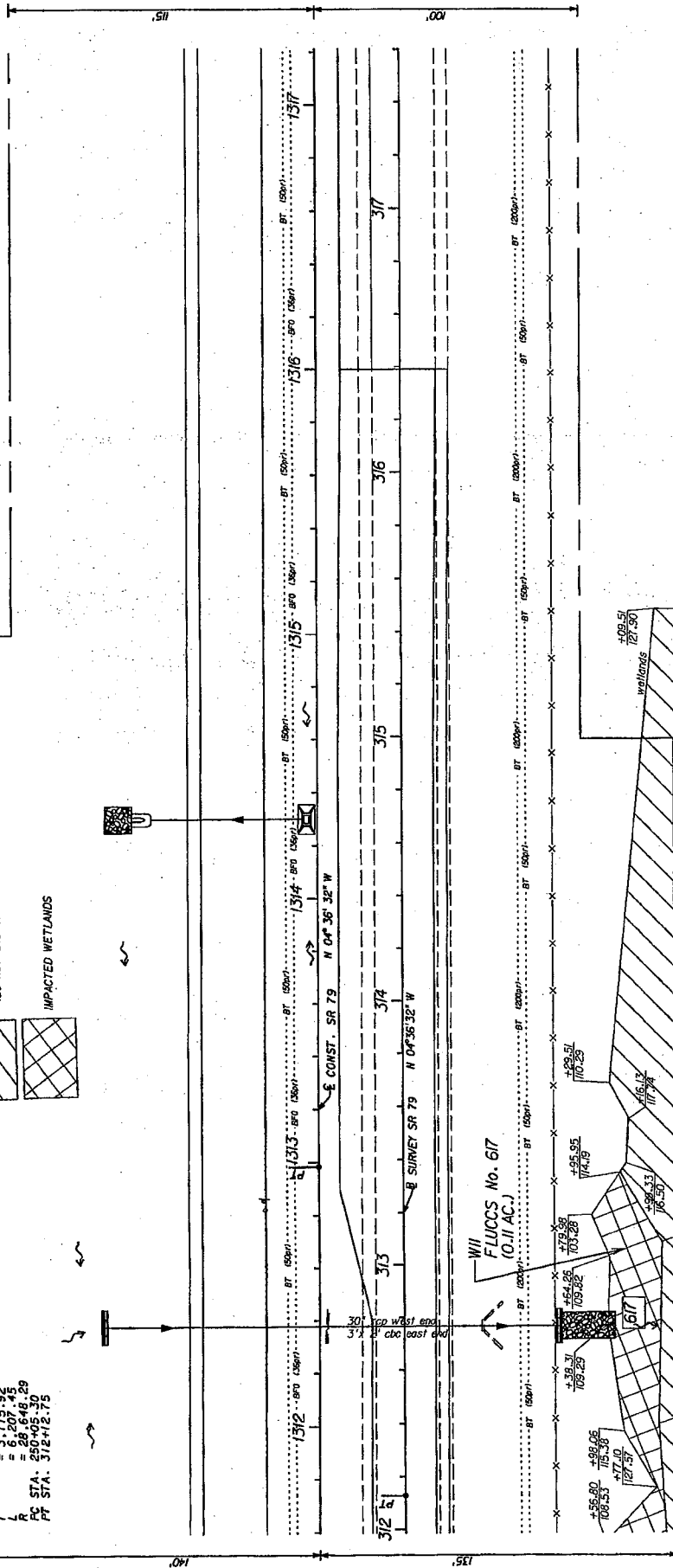
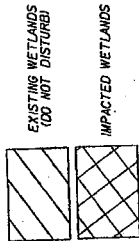
CURVE DATA BLS3  
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 D = 114.53' (LT)  
 L = 3,115.92'  
 E = 6,207.45'  
 R.A. STA. = 281+21.23  
 P.T. STA. = 312+42.75



|   |  |    |  |                              |  |           |  |                                      |  |
|---|--|----|--|------------------------------|--|-----------|--|--------------------------------------|--|
| DATE  |  | BT |  | ST                           |  | SHEET NO. |  | 604                                  |  |
| ENGINEER OF RECORD:                           |  |    |  | STATES OF FLORIDA            |  |           |  | WETLANDS                             |  |
| LEON E. MOLES III, P.E.                       |  |    |  | DEPARTMENT OF TRANSPORTATION |  |           |  | STA. 1306+00 TO 1314+60              |  |
| No. 9452                                      |  |    |  | ROAD NO.                     |  |           |  | SR 79                                |  |
|   |  |    |  | COUNTY                       |  |           |  | WASHINGTON                           |  |
|   |  |    |  | FINANCIAL PROJECT ID         |  |           |  | 220773-4-52-01                       |  |
| DAVID H. MELVIN, INC.                         |  |    |  | CONSULTING ENGINEERS         |  |           |  | 7/1/2008                             |  |
| 408 LORETTA STREET                            |  |    |  | WASHINGTON, FL 32090-6230    |  |           |  | 12053 PM                             |  |
| CERTIFICATE OF AUTHORIZATION No. 67-020055-57 |  |    |  |                              |  |           |  | V:\E\1007\100714520\Map\Wetland2.dwg |  |

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 6015-23.003, F.A.C.

CURVE DATA BLS3  
 PI STA. = 281+21.23  
 Delta = 12° 24' 53.00" (LT)  
 D = 3115.95.99"  
 L = 6207.45'  
 R = 28648.89'  
 PC STA. 250+05.30  
 PT STA. 312+12.75



DAVID H. MELVIN, INC.  
 Consulting Engineers  
 480 LAFAYETTE STREET  
 JACKSONVILLE, FL 32202-4535  
 CERTIFICATE OF AUTHORIZATION No. EC-0000567

ENGINEER OF RECORD:  
 LEON E. MOLES III, P.E.  
 No. 5462

STATES OF FLORIDA  
 DEPARTMENT OF TRANSPORTATION  
 ROAD NO. SR 79  
 COUNTY WASHINGTON  
 FINANCIAL PROJECT ID 220773-4-52-01

WETLANDS  
 STA. 1311+60 TO 1317+20  
 SHEET NO. 605

1/1/2008 12:03 PM  
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NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 6G15-23.003, F.A.C.

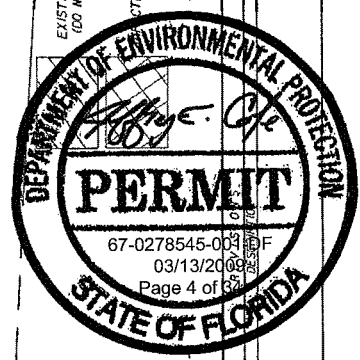
1" = 40'

ISOLATED  
NON-JURISDICTIONAL  
WETLAND

Wetlands

W12  
(FDEP JD ONLY)  
FLUCCS No. 617  
(0.28 AC.) AND  
(0.09 AC.) 643

CURVE DATA R15A  
PT STA. = 335+34.33  
Del'ta = 23° 34' 51.00" (RT)  
D = 0° 59' 59.95"  
L = 1,195.99  
R = 5,759.61  
PC STA. 327+80.34  
PT STA. 351+38.15



EXISTING WETLANDS  
(DO NOT DISTURB)



ISOLATED WETLANDS

|   |    |  |   |                  |
|---|----|--|---|------------------|
| DATE  | BY | STATE OF FLORIDA<br>DEPARTMENT OF ENVIRONMENTAL PROTECTION   | WETLANDS<br>STA. 1339+60 TO 1345+20   | SHEET NO.<br>605 |
| ENGINEER OF RECORD:<br>LEW E. MOLES III, P.E.<br>No. 3406 |    | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>408 LAFAYETTE STREET<br>MIAMI, FL 33139<br>CERTIFICATE OF AUTHORIZATION No. 05-000693 | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>COUNTY<br>WASHINGTON<br>ROAD NO.<br>SR 79<br>FINANCIAL PROJECT ID<br>220773-4-52-01 |                  |

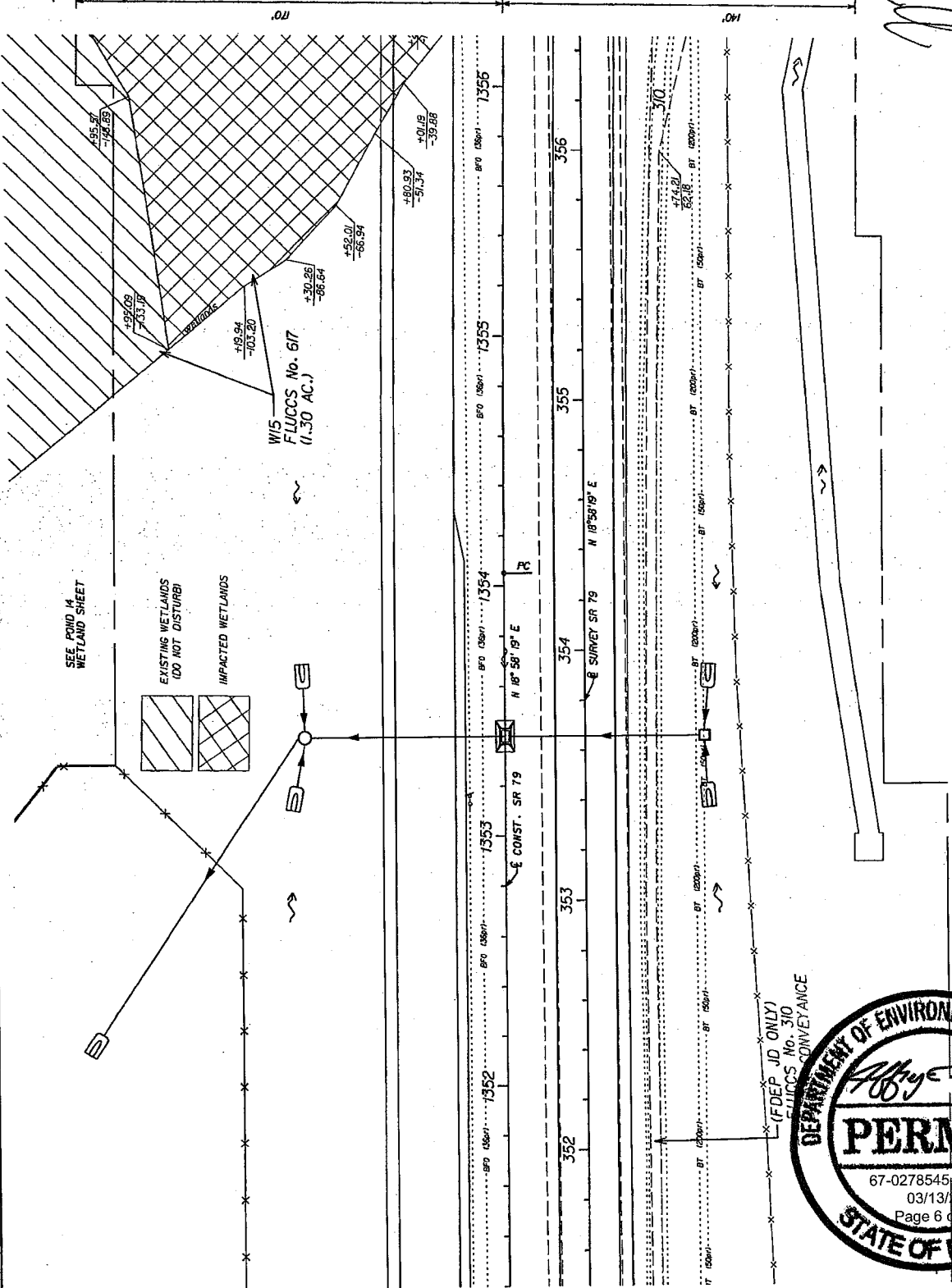
12535 FM 7/1/2008

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 6B15-23.003, F.A.C.

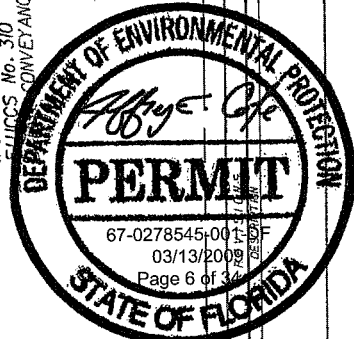


| EXISTING WETLANDS<br>(DO NOT DISTURB)   | IMPACTED WETLANDS   |
|---|---|
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|   |         |   |    |
|---|---------|---|----|
| DATE  | 5/20/09 | BY  | DF |
|   |         |   |    |
| ENGINEER / RECORDS:<br>LEON E. WILES III, P. E.<br>408 LAFRETTE STREET<br>MIAMI, FL 33147<br>No. 5482 |         |   |    |
| DAVID H. MELVIN, INC.<br>Consulting Engineers<br>1230 SW 30th Ave.<br>Miami, FL 33135                 |         |   |    |
| ROAD NO.<br>SR 79   |         | COUNTY<br>WASHINGTON                              |    |
| FINANCIAL PROJECT ID<br>220773-4-52-01  |         | STATES OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION |    |
| STA. 13+5190 TO 13+5480<br>WETLANDS   |         |   |    |
| SHEET NO. 607   |         |   |    |

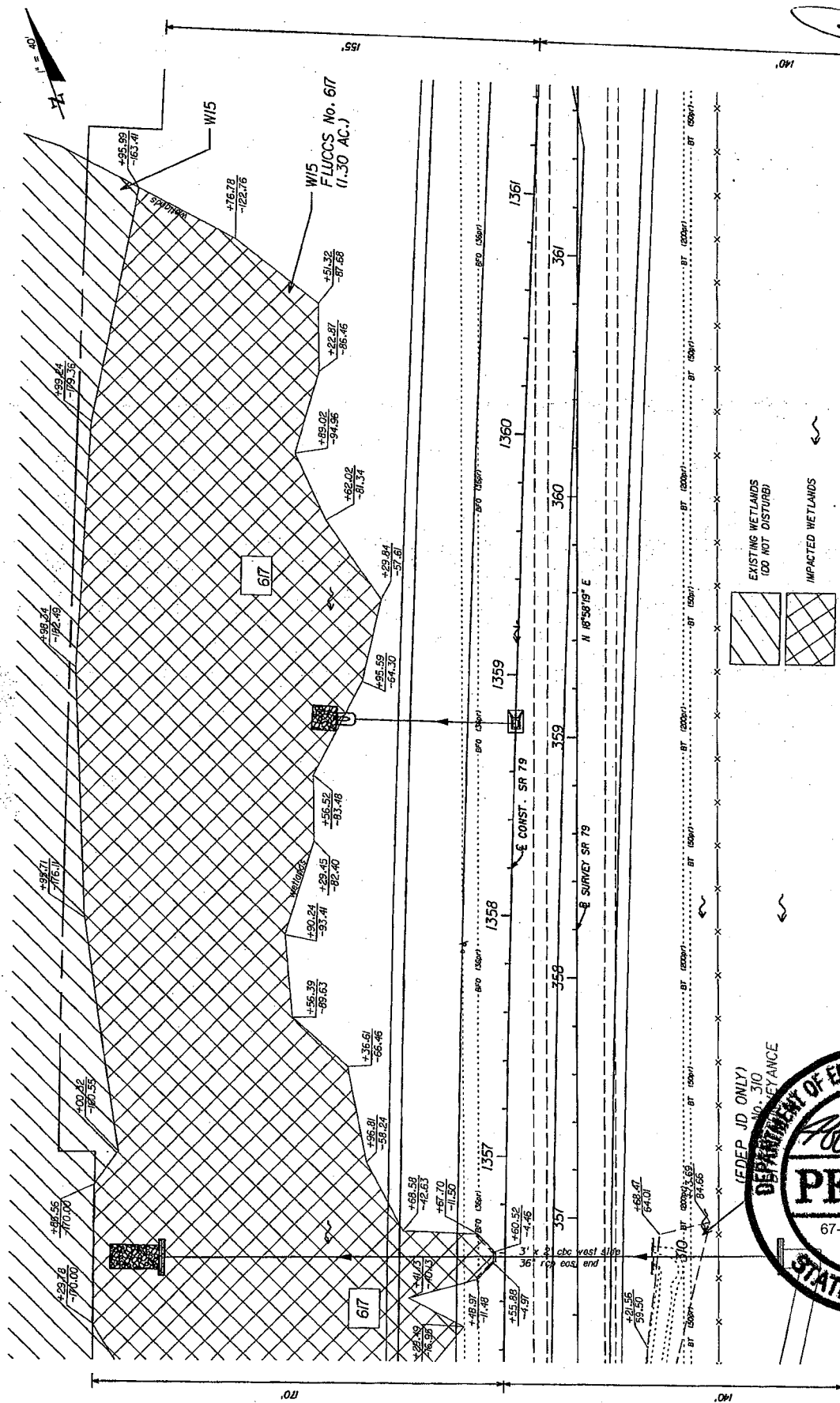




(FDEP JD ONLY)  
FLUCCS No. 310  
CONVEYANCE

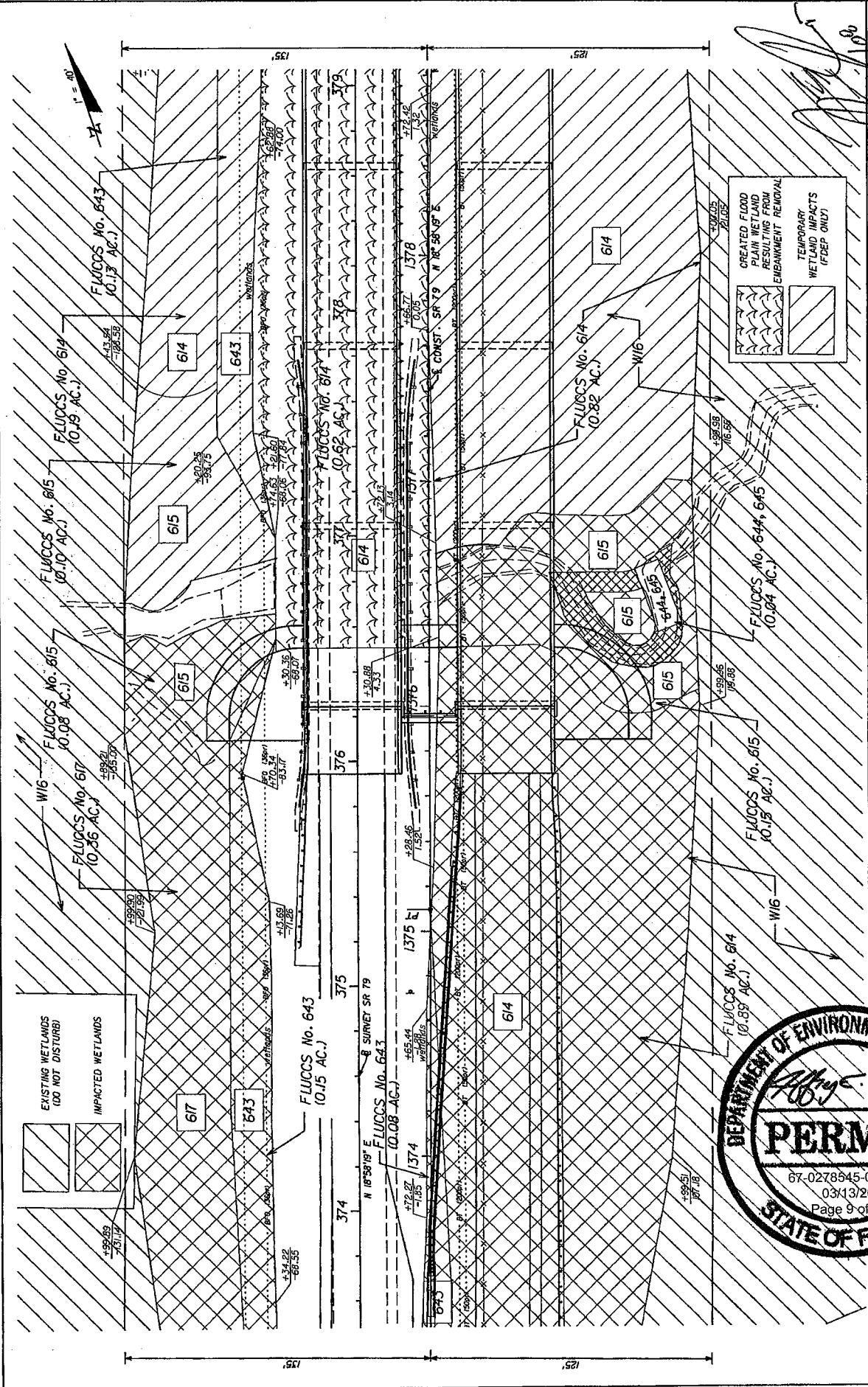


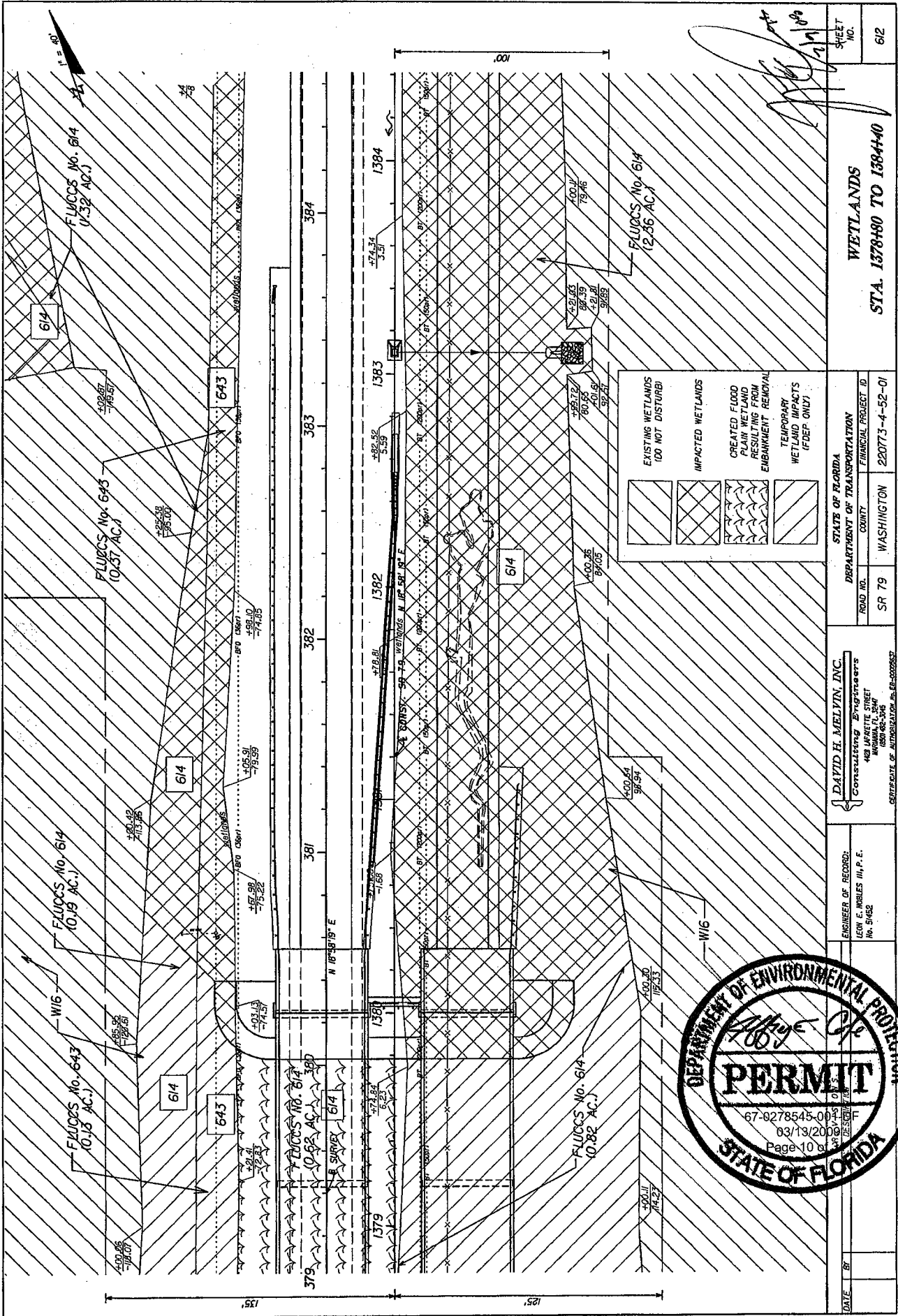
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| DATE  |  | BT |  | SHEET NO.  |  | 608 |  |
| ENGINEER OF RECORDS<br>LEON E. MOLES III, P.E.<br>No. 5452  |  |    |  | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 220773-4-52-01 |  |     |  |
| DAVID H. MELVIN, INC.<br>Consulting Engineers<br>461 JACOBITE STREET<br>BETHLEHEM, PA 18015<br>CERTIFICATE OF AUTHORIZATION No. EC-200852 |  |    |  | WETLANDS<br>STA. 1351+20 TO 1356+20  |  |     |  |

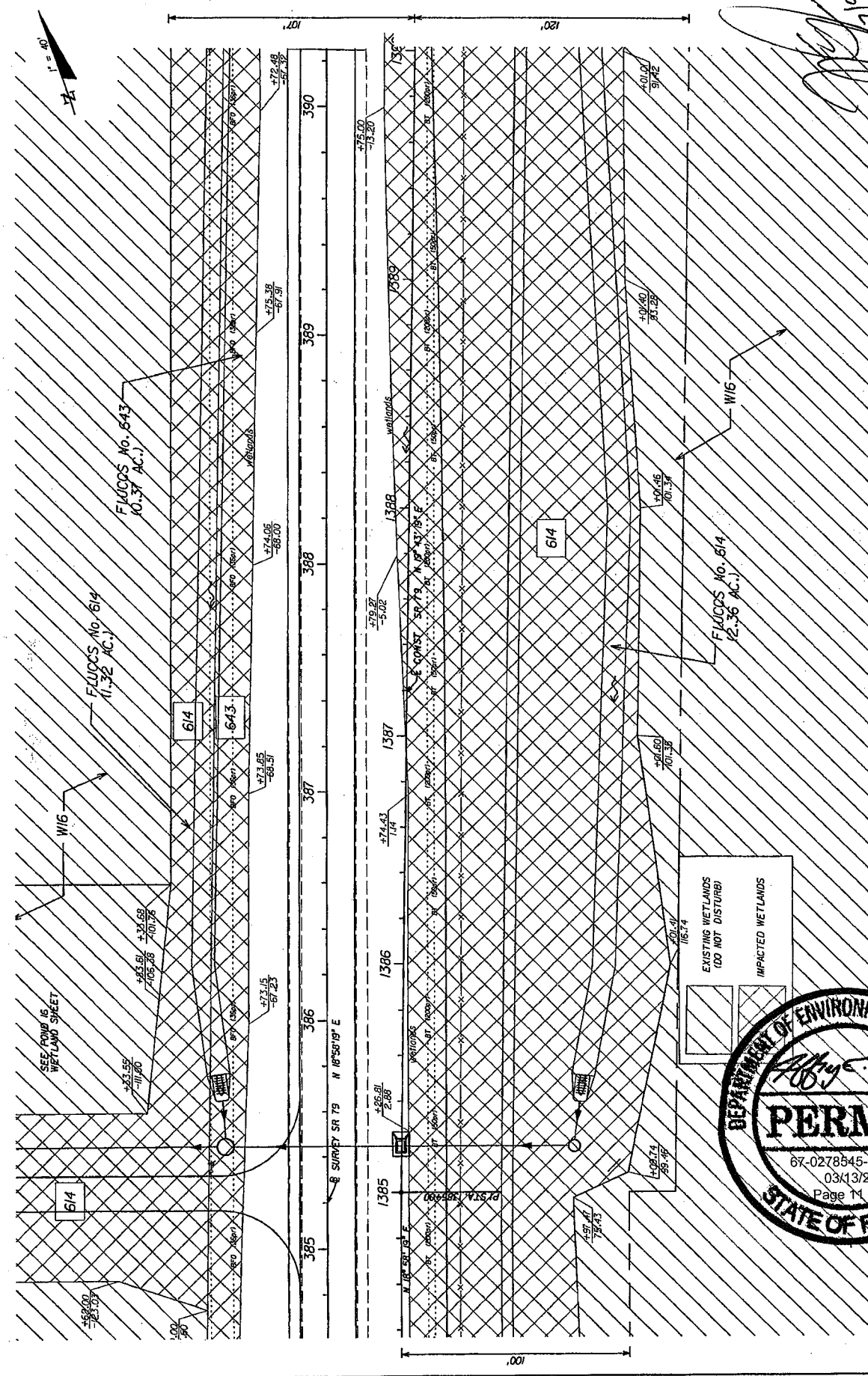
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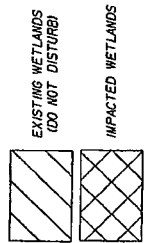
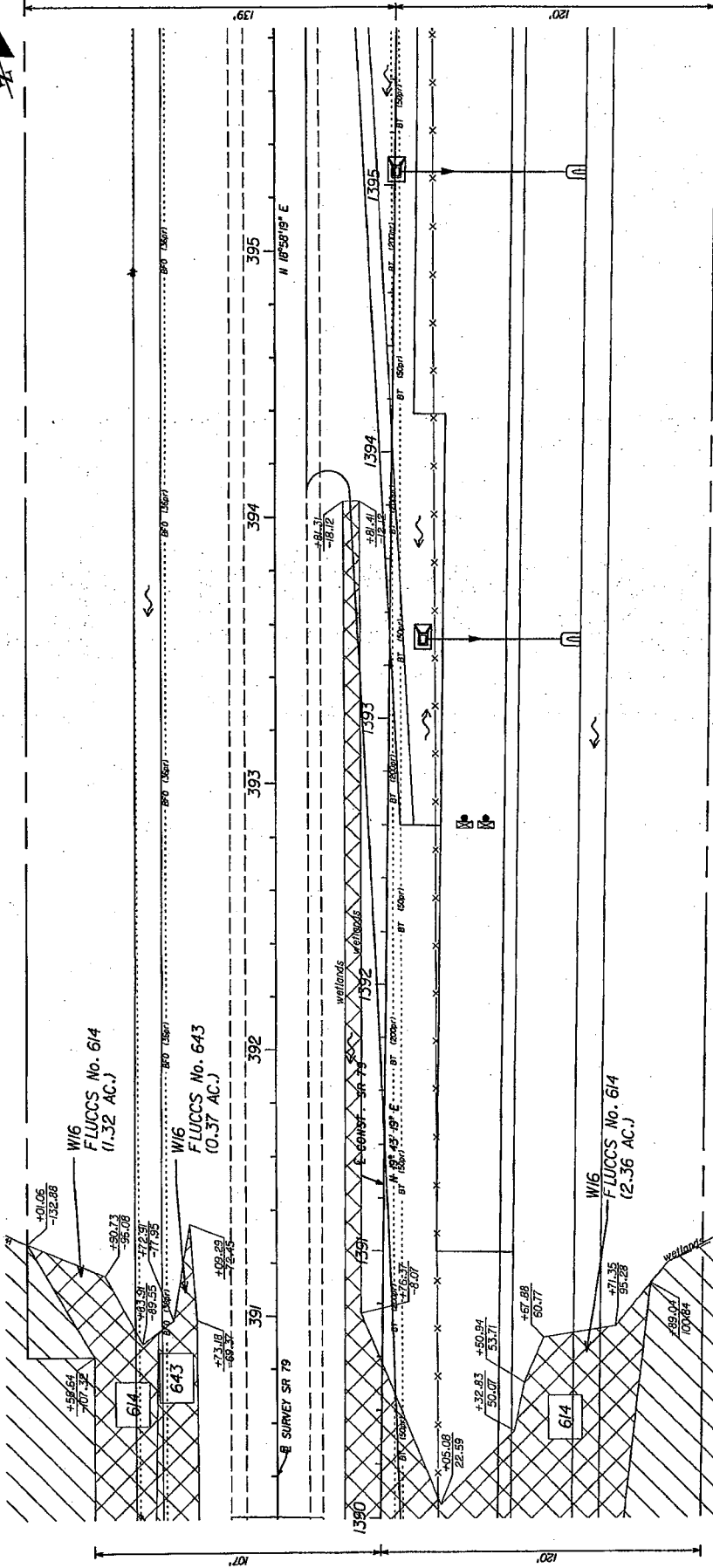
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| DATE  | BY | PROJECT NO. | DATE  | BY | PROJECT NO. |
|   |    |             |   |    |             |
|  |    |             |                   |    |             |
| ENGINEER OF RECORD:<br>LEIN E. MOLES III, P. E.<br>No. 5462                           |    |             | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>408 UPRITE STREET<br>MIAMI, FL 33134<br>800-466-3063 |    |             |
| STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION                                      |    |             | WETLANDS<br>STA. 1367450 TO 1375425   |    |             |
| ROAD NO. SR 79  |    |             | COUNTY WASHINGTON   |    |             |
| FINANCIAL PROJECT ID 220773-4-52-01   |    |             | SHEET NO. 610   |    |             |





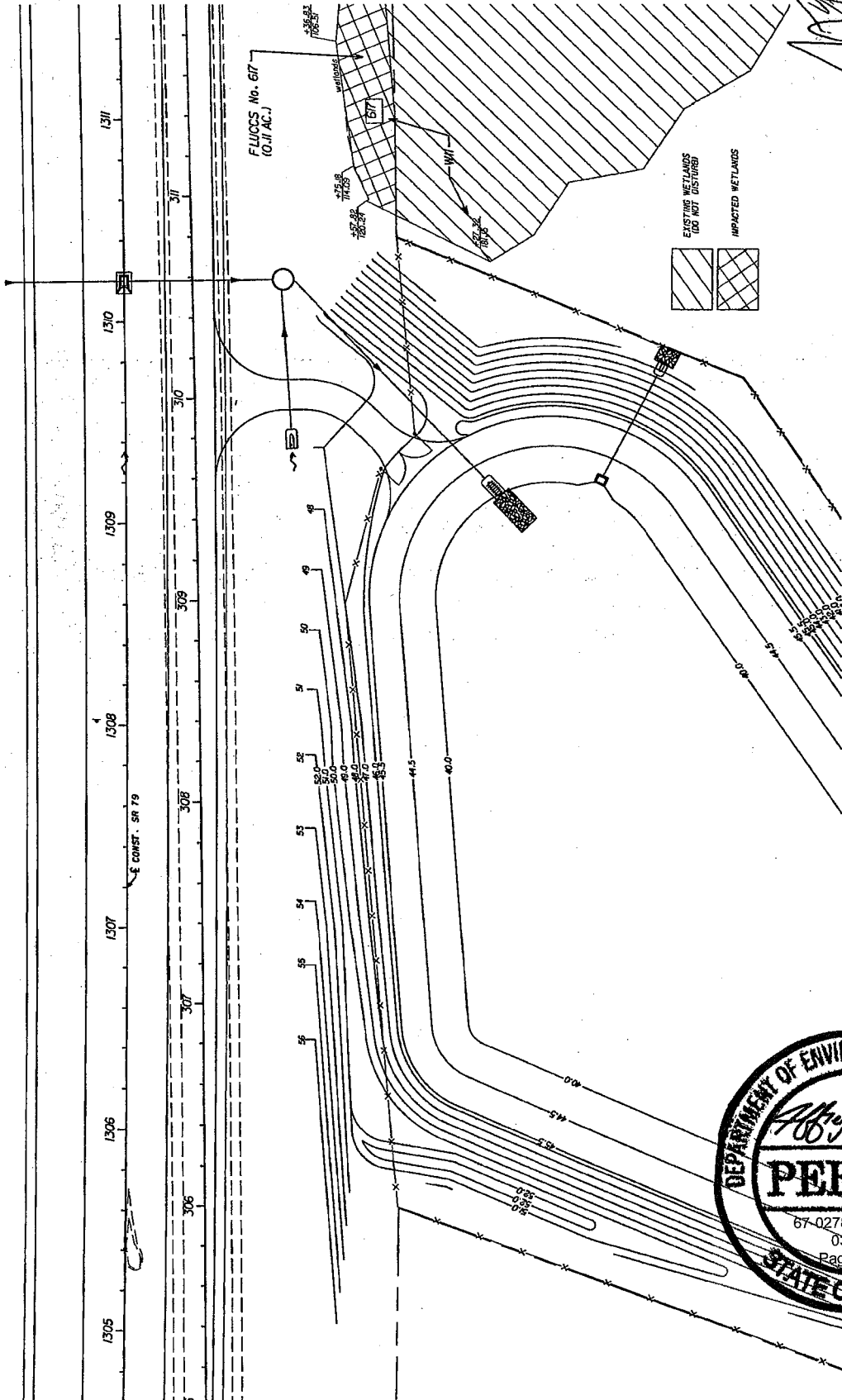


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|--|----|--|
| DATE   | BY | STATE OF FLORIDA<br>DEPARTMENT OF ENVIRONMENTAL PROTECTION<br>67-0278545-001<br>03/13/2009<br>Page 14 of 15  |
| ENGINEER OF RECORD:<br>LEON E. MOLES III, P.E.<br>No. 5452 |    | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>1000 N. W. 10th St.<br>Miami, FL 33136<br>305-375-3005<br>CERTIFICATE OF AUTHORIZATION No. CE-0008857 |
| ROAD NO.<br>SR 79  |    | COUNTY<br>WASHINGTON   |
| FINANCIAL PROJECT ID<br>220773-4-52-01                     |    | WETLANDS<br>STA. 1384+40 TO 1390+00  |
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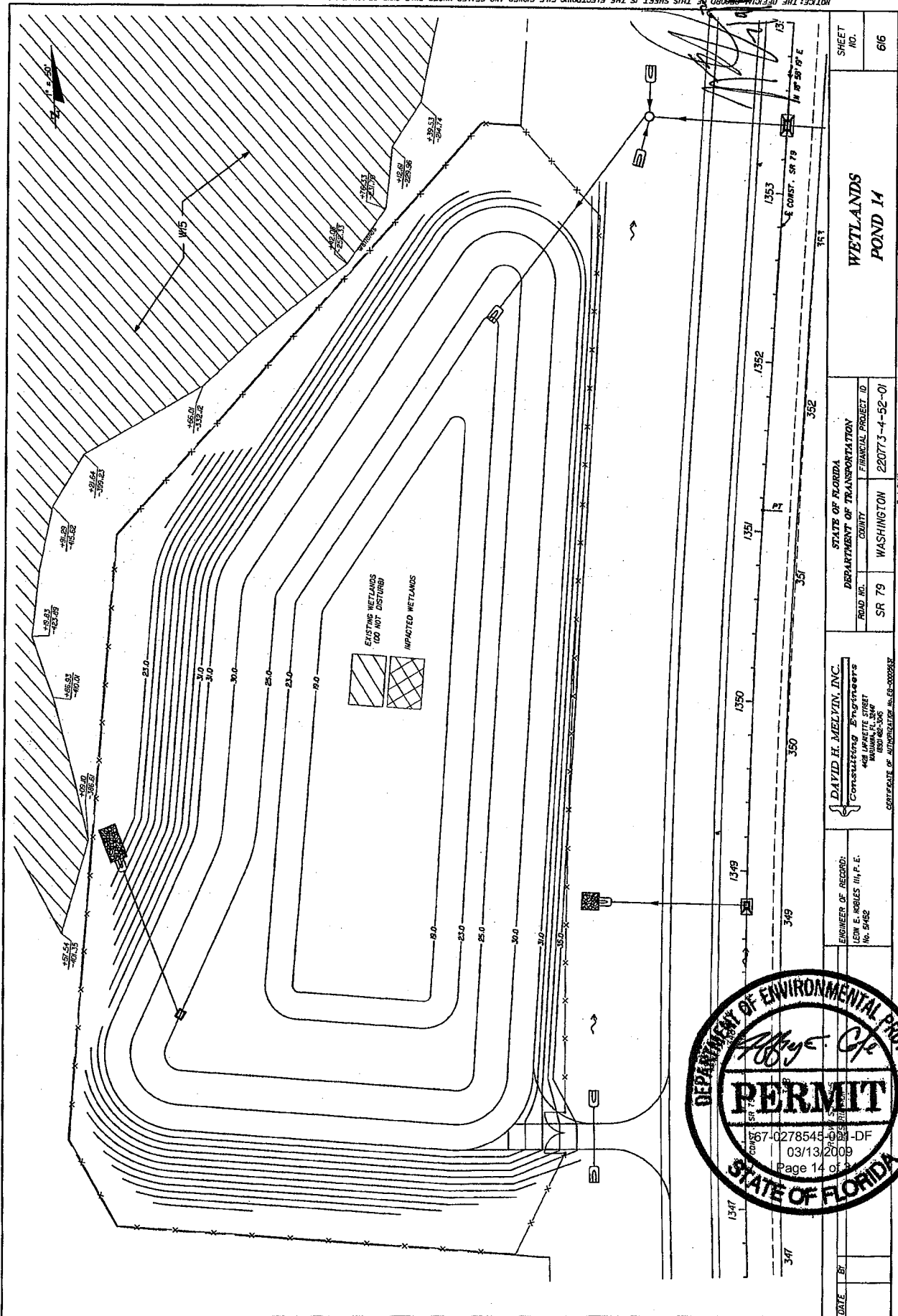
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| DATE   | BT | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 220773-4-52-01  | WETLANDS<br>STA. 1390+00 TO 1395+40 | SHEET NO. 614  |
| ENGINEER OF RECORD:<br>LEON E. MOSES III, P.E.<br>No. 5456 |    | DAVID H. MELVIN, INC.<br>CONSULTING ENGINEERS<br>4800 LAFAYETTE STREET<br>MIAMI, FL 33141<br>TEL: 305-556-3066<br>FAX: 305-556-3067<br>CERTIFICATE OF REGISTRATION No. 68-0006503 |                                     | 7/2/2008 9:43:52 AM \\MEJ\JAN\007-28077-45201\wetland2.dgn |

1" = 50'



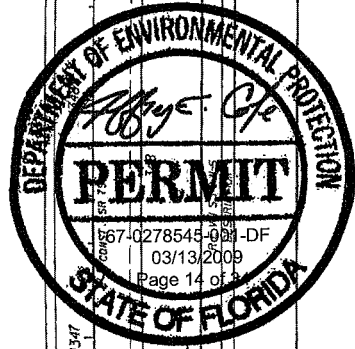
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|---|----|--|---------------------|---------------|
| DATE  | BY | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 220773-4-52-01                             | WETLANDS<br>POND II | SHEET NO. 615 |
| ENGINEER OF RECORD:<br>LEW E. NOBLES III, P.E.<br>No. 51462 |    | DAVID H. MELVIN, INC.<br>CONSULTING ENGINEERS<br>4400 N. W. 11th Street<br>Miami, FL 33142<br>(305) 462-3995<br>CERTIFICATE OF AUTHORIZATION No. 61-000957 |                     |               |
| 67-0278545-00   |    | 67-0278545-00  |                     |               |
| 03/13/2008  |    | 03/13/2008   |                     |               |
| Page 13 of 13   |    | Page 13 of 13  |                     |               |



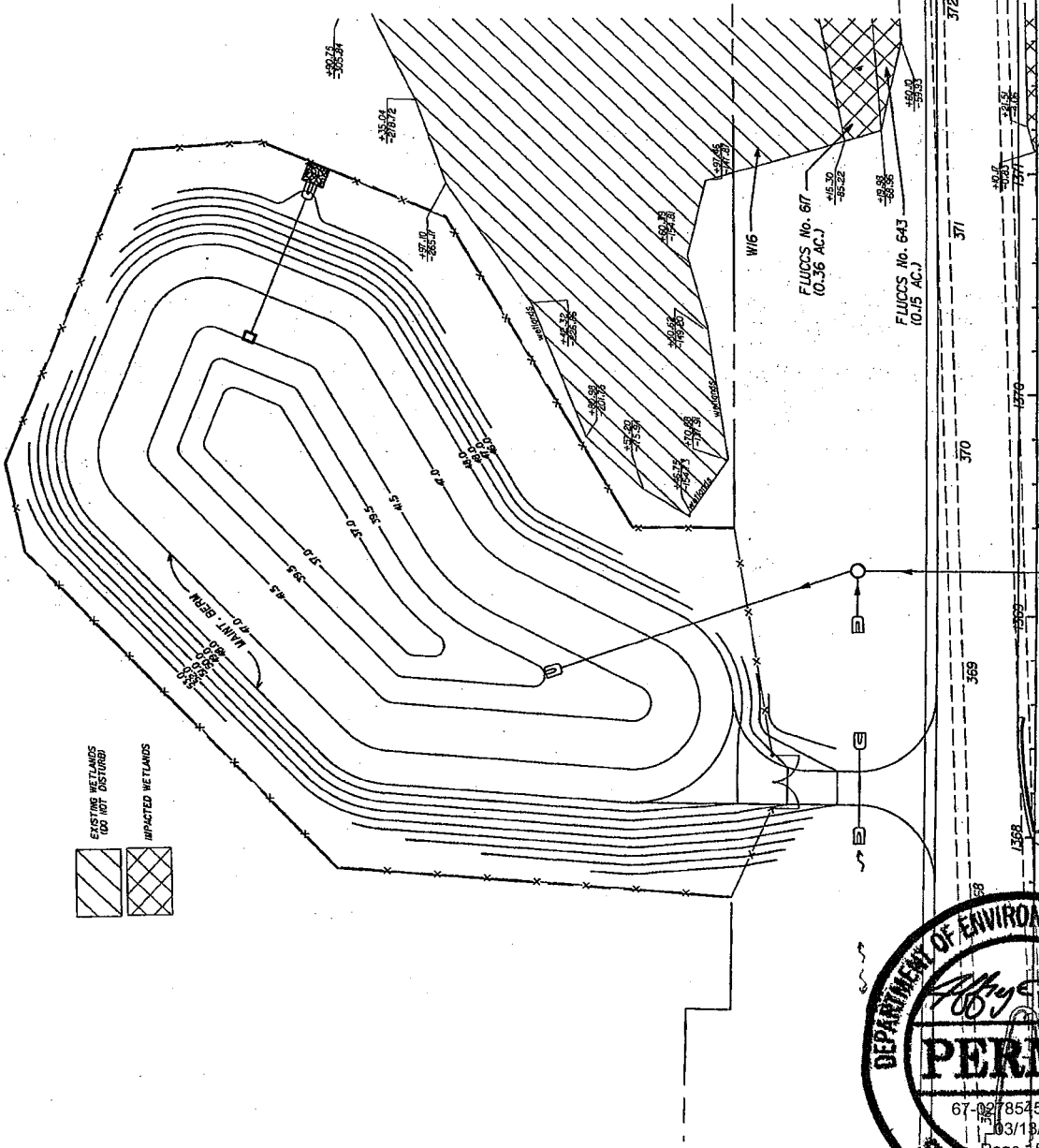


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|-------------------------|--|----|--|------------------------------|--|-----|--|
| DATE                    |  | BY |  | SHEET NO.                    |  | 616 |  |
| ENGINEER OF RECORD:     |  |    |  | STATE OF FLORIDA             |  |     |  |
| LENN E. MOSES III, P.E. |  |    |  | DEPARTMENT OF TRANSPORTATION |  |     |  |
| No. 5462                |  |    |  | ROAD NO.                     |  |     |  |
|                         |  |    |  | COUNTY                       |  |     |  |
|                         |  |    |  | WASHINGTON                   |  |     |  |
|                         |  |    |  | FINANCIAL PROJECT ID         |  |     |  |
|                         |  |    |  | 220773-4-52-01               |  |     |  |
|                         |  |    |  | SR 79                        |  |     |  |
|                         |  |    |  | CONTRACT                     |  |     |  |
|                         |  |    |  | 17/2028                      |  |     |  |
|                         |  |    |  | 14722 PM                     |  |     |  |
|                         |  |    |  | WETLANDS POND 14             |  |     |  |
|                         |  |    |  | WETLANDS                     |  |     |  |



1" = 50'



EXISTING WETLANDS  
(DO NOT DISTURB)

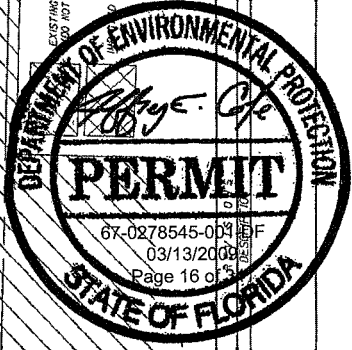
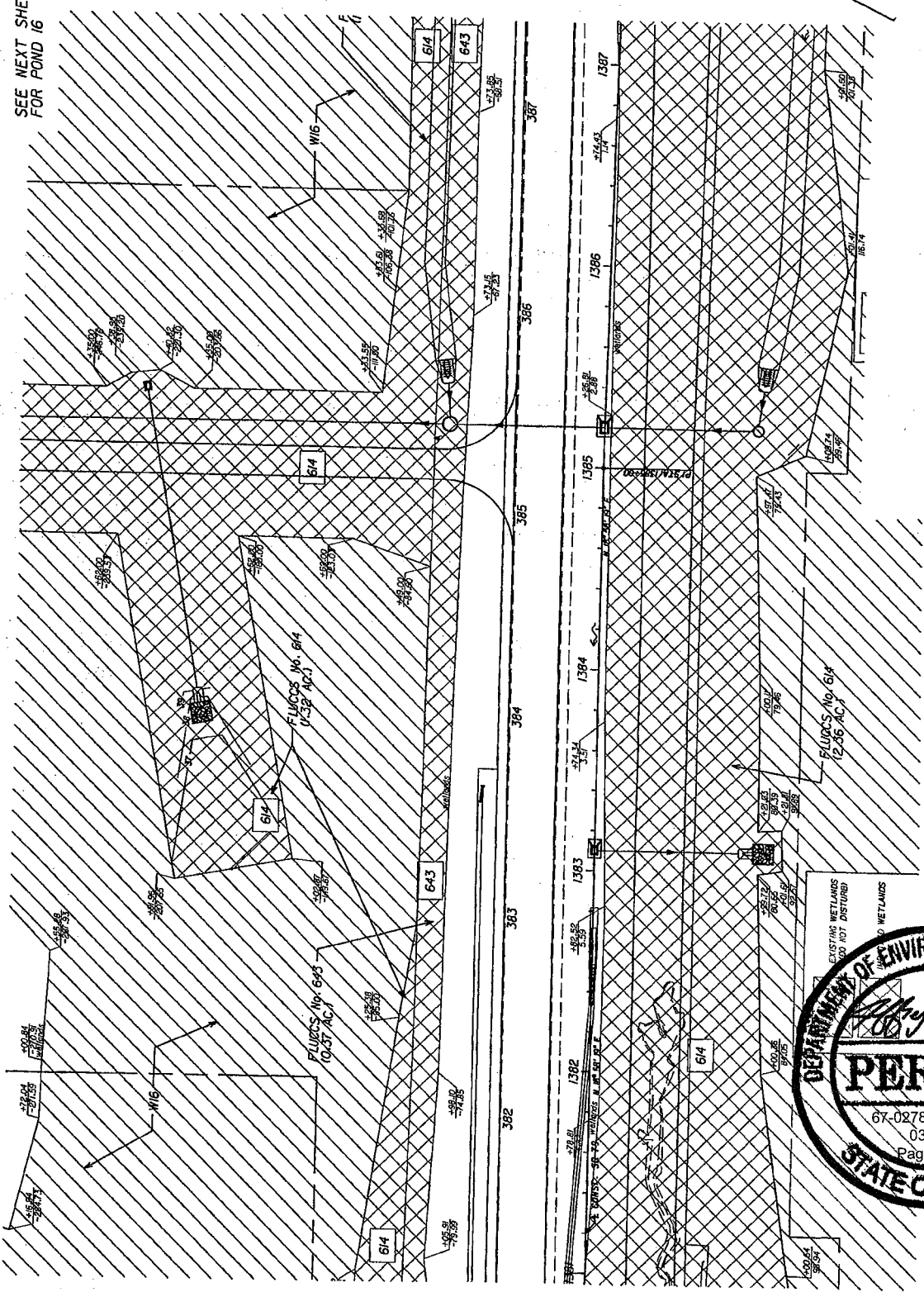
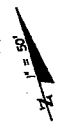
IMPACTED WETLANDS



|  |  |    |  |   |  |     |  |
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| DATE   |  | BY |  | SHEET NO.   |  | 617 |  |
| ENGINEER OF RECORD:<br>LEON E. WOLLES III, P.E.<br>No. 5462  |  |    |  | WETLANDS<br>POND 15   |  |     |  |
| DAVID H. MELVIN, INC.<br>Consulting Engineers<br>4800 N. W. 11th Ave.<br>Miami, FL 33142<br>(305) 482-3701<br>CERTIFICATE OF AUTHORIZATION No. EC-300552 |  |    |  | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 22073-4-52-01 |  |     |  |
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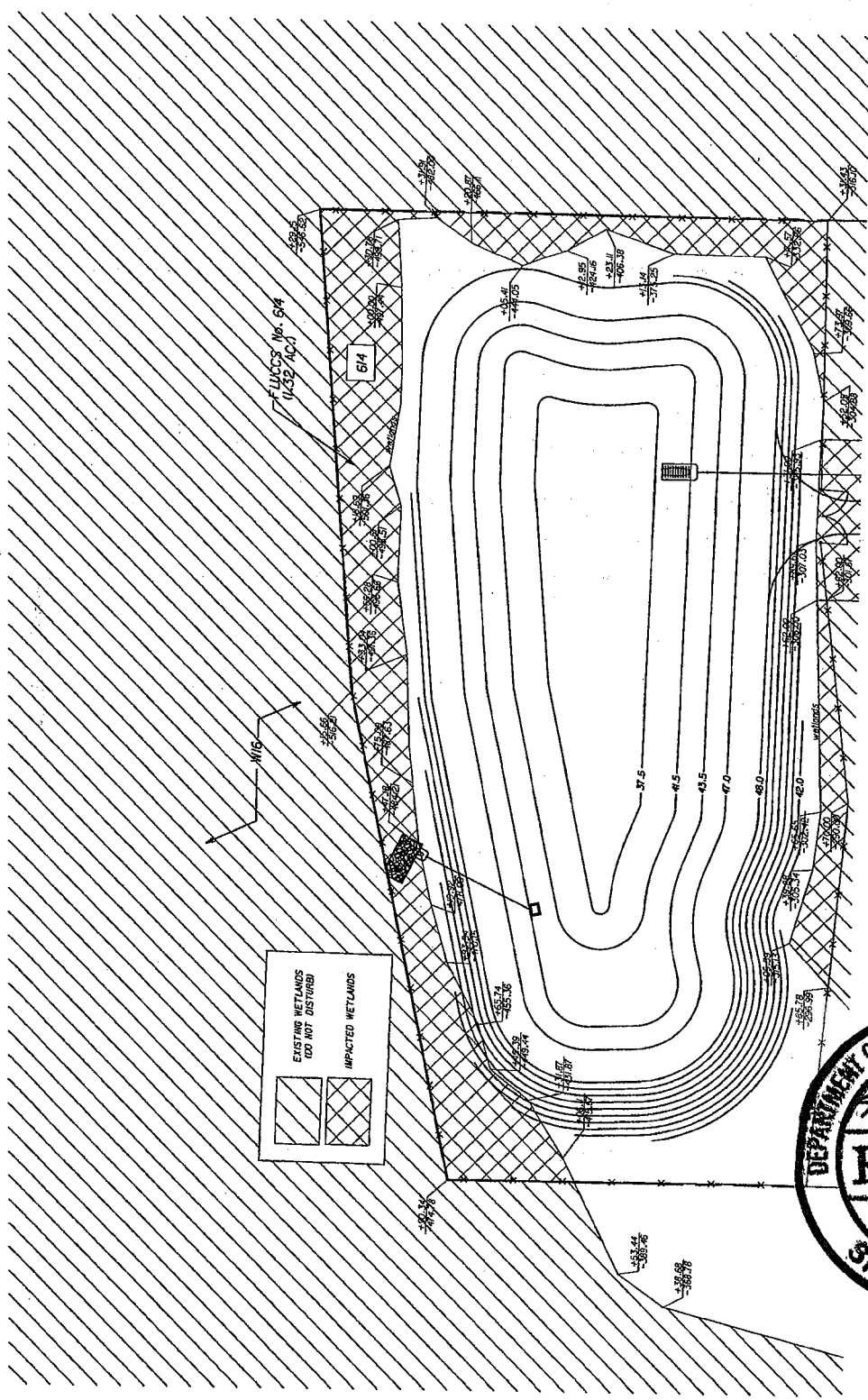
*[Handwritten signature]*

SEE NEXT SHEET FOR  
FOR POND 16



|      |    |  |   |  |                     |               |
|------|----|--|---|--|---------------------|---------------|
| DATE | BY | ENGINEER OF RECORD:<br>LEON E. MOLES III, P.E.<br>No. 5462 | DAVID H. MELVIN, INC.<br>CONSULTING ENGINEERS<br>408 LINDSEY STREET<br>MIAMI, FL 33137<br>(305) 462-3905<br>CERTIFICATE OF AUTHORIZATION No. EC-0009527 | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. SR 79<br>COUNTY WASHINGTON<br>FINANCIAL PROJECT ID 220773-4-52-01 | WETLANDS<br>POND 16 | SHEET NO. 618 |
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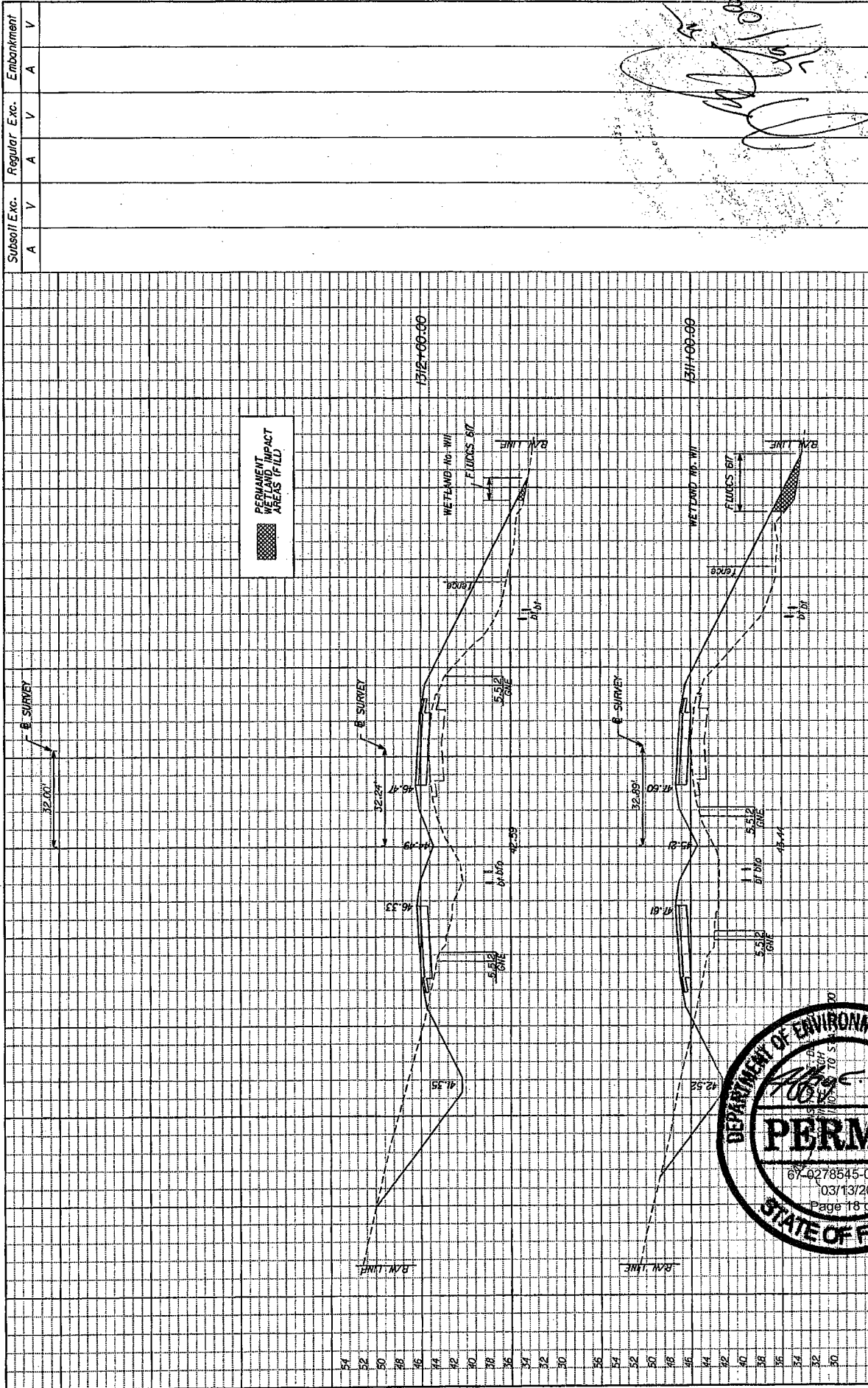


SEE PREVIOUS SHEET FOR  
EAST END OF POND 16 ROAD



|      |    |  |   |                   |                      |  |   |                     |                  |
|------|----|--|---|-------------------|----------------------|--|---|---------------------|------------------|
| DATE | BY | ENGINEER OF RECORD:<br>LEWIS E. MOLES III, P.E.<br>No. 51452 | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>408 LAURETTE STREET<br>MIAMI, FL 33134<br>CERTIFICATE OF AUTHORIZATION No. 68-000057 | ROAD NO.<br>SR 79 | COUNTY<br>WASHINGTON | FINANCIAL PROJECT ID<br>220773-4-52-01 | STATES OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION | WETLANDS<br>POND 16 | SHEET NO.<br>619 |
|------|----|--|---|-------------------|----------------------|--|---|---------------------|------------------|

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| Subsoil Exc. | Regular Exc. | Embankment |
|--------------|--------------|------------|
| A            | V            | A          |
| V            | A            | V          |

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|---|--|---|--|-----------------|
| ENGINEER OF RECORD:<br>LEON E. NOBLES III, P.E.<br>No. 5462   |  | STATES OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. _____ COUNTY _____ FINANCIAL PROJECT ID _____           |  | SHEET NO.<br>10 |
| DAVID H. MELVIN, INC.<br>Consulting Engineers<br>4000 W. 11th Street<br>Miami, FL 33134<br>(305) 462-3905 |  | CERTIFICATE OF AUTHORIZATION No. EB-0000587<br>1/9/2002 02:05:30 AM V:\E\PM-1-007-02071-0201.dwg 10/15/02 10:54:00 AM |  |                 |



DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Affy. C/P*

**PERMIT**

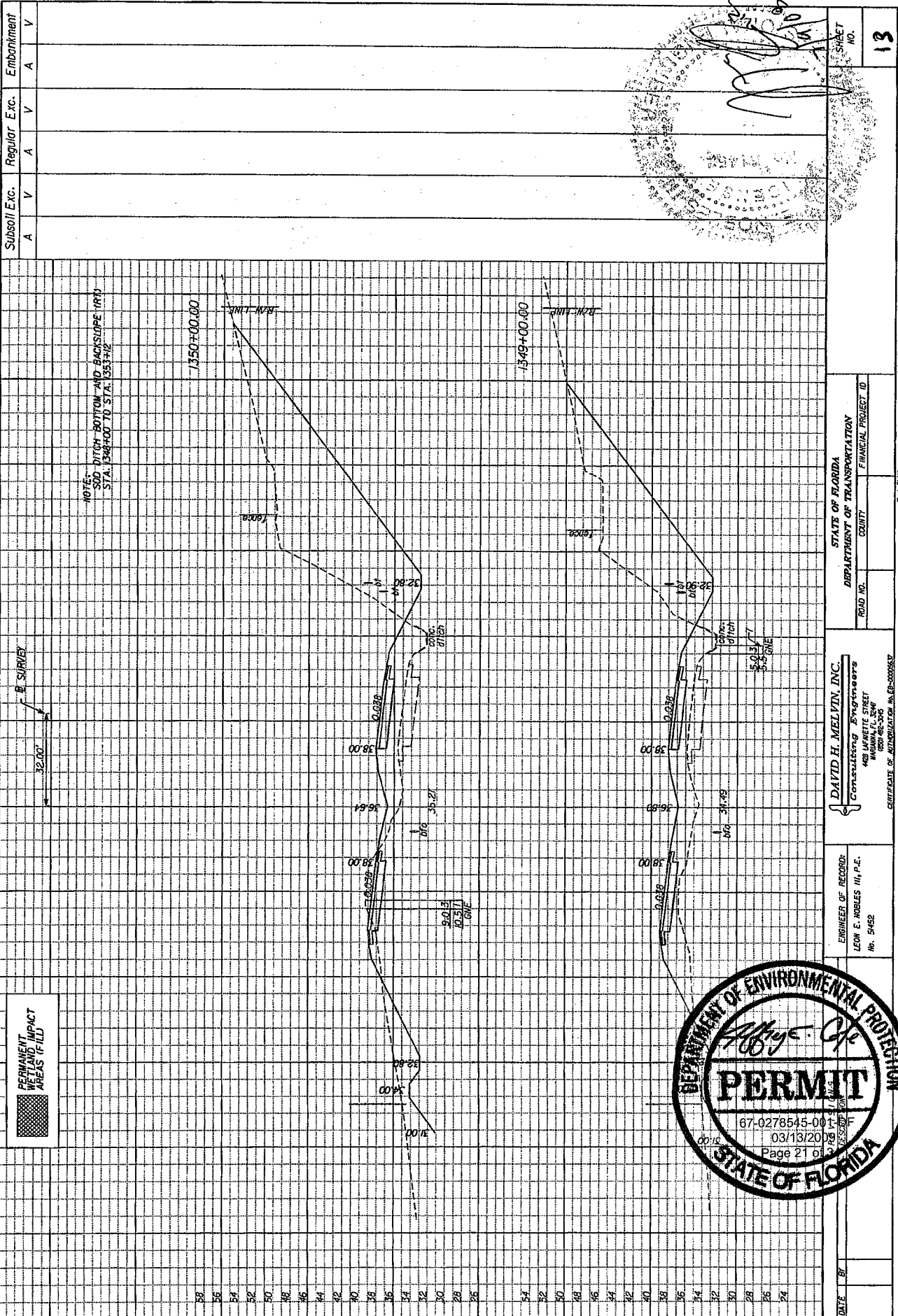
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03/13/2008

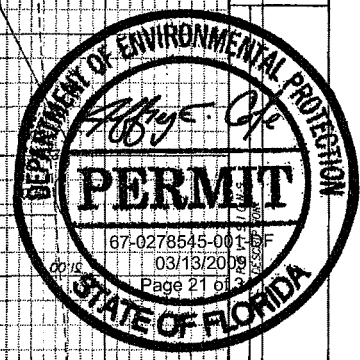
Page 19 of 5

STATE OF FLORIDA

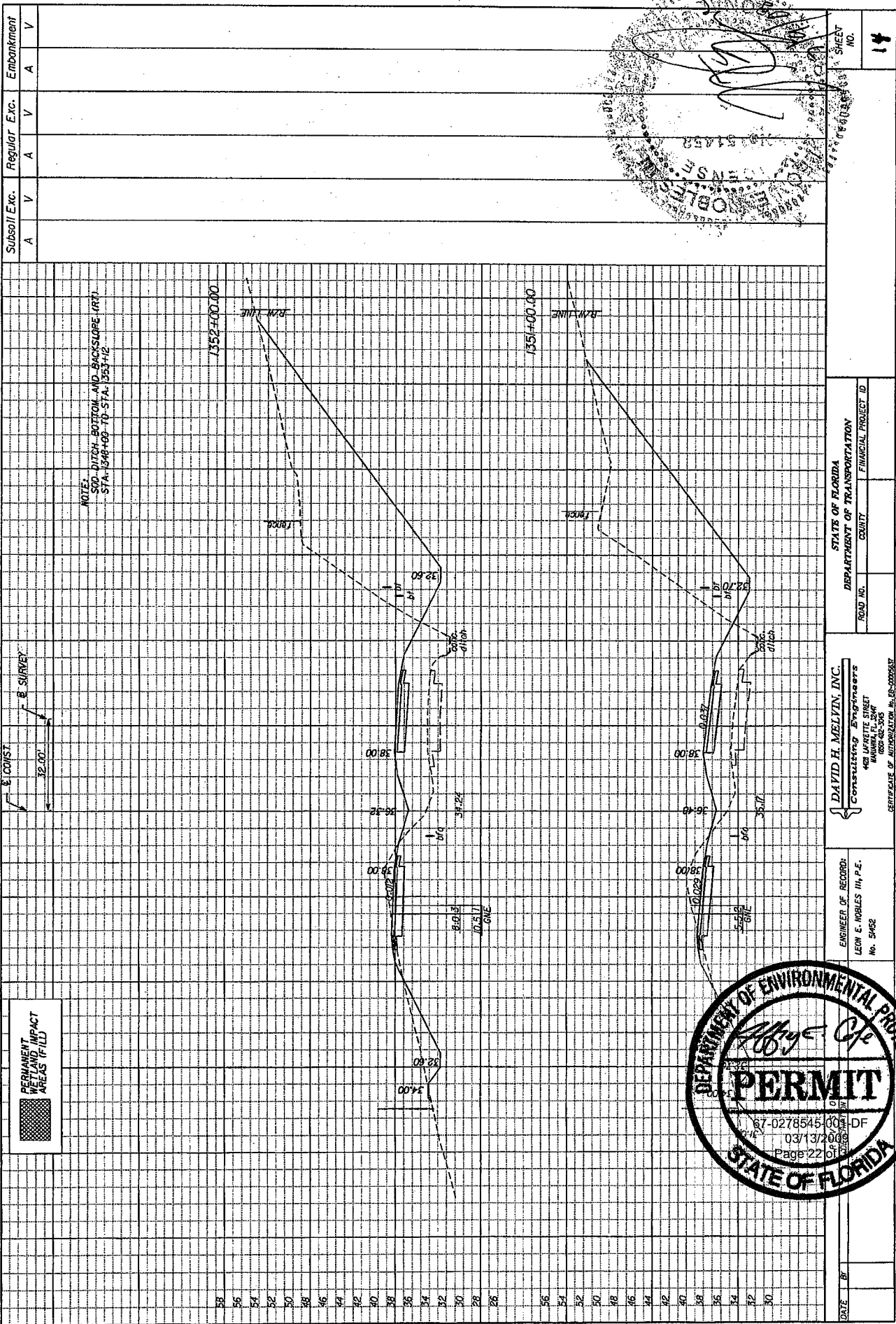




STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
ROAD NO. COUNTY FINANCIAL PROJECT ID



|      |    |  |  |  |   |                 |
|------|----|--|--|--|---|-----------------|
| DATE | BY | ENGINEER OF RECORD<br>LEON E. NOBLES III, P.E.<br>No. 5482 | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>440 LAUREL STREET<br>MIAMI, FL 33136<br>(305) 861-1500<br>CERTIFICATE OF AUTHORIZATION No. ES-2000837 | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. COUNTY FINANCIAL PROJECT ID | 1/8/2008 8:53:12 AM<br>VMEI\H\A\007\20072-6201\0000000000.dwg | SHEET NO.<br>13 |
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| Subsoil Exc. | Regular Exc. | Embankment |
|--------------|--------------|------------|
| A            | V            | A          |
|              |              | V          |

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

DAVID H. MELVIN, INC.  
CONSULTING ENGINEERS  
400 LAFAYETTE STREET  
TALLAHASSEE, FL 32304  
(904) 487-3905

ENGINEER OF RECORD:  
LEON E. NOBLES III, P.E.  
No. 5462

ROAD NO. COUNTY FINANCIAL PROJECT ID

DATE

SHEET NO. 14

7/9/2008 6:25:44 AM

03/13/2009

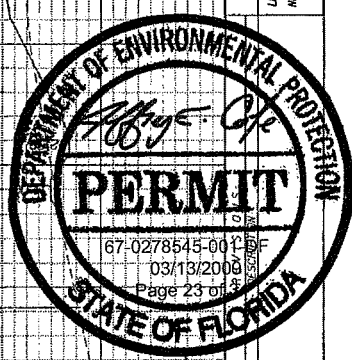
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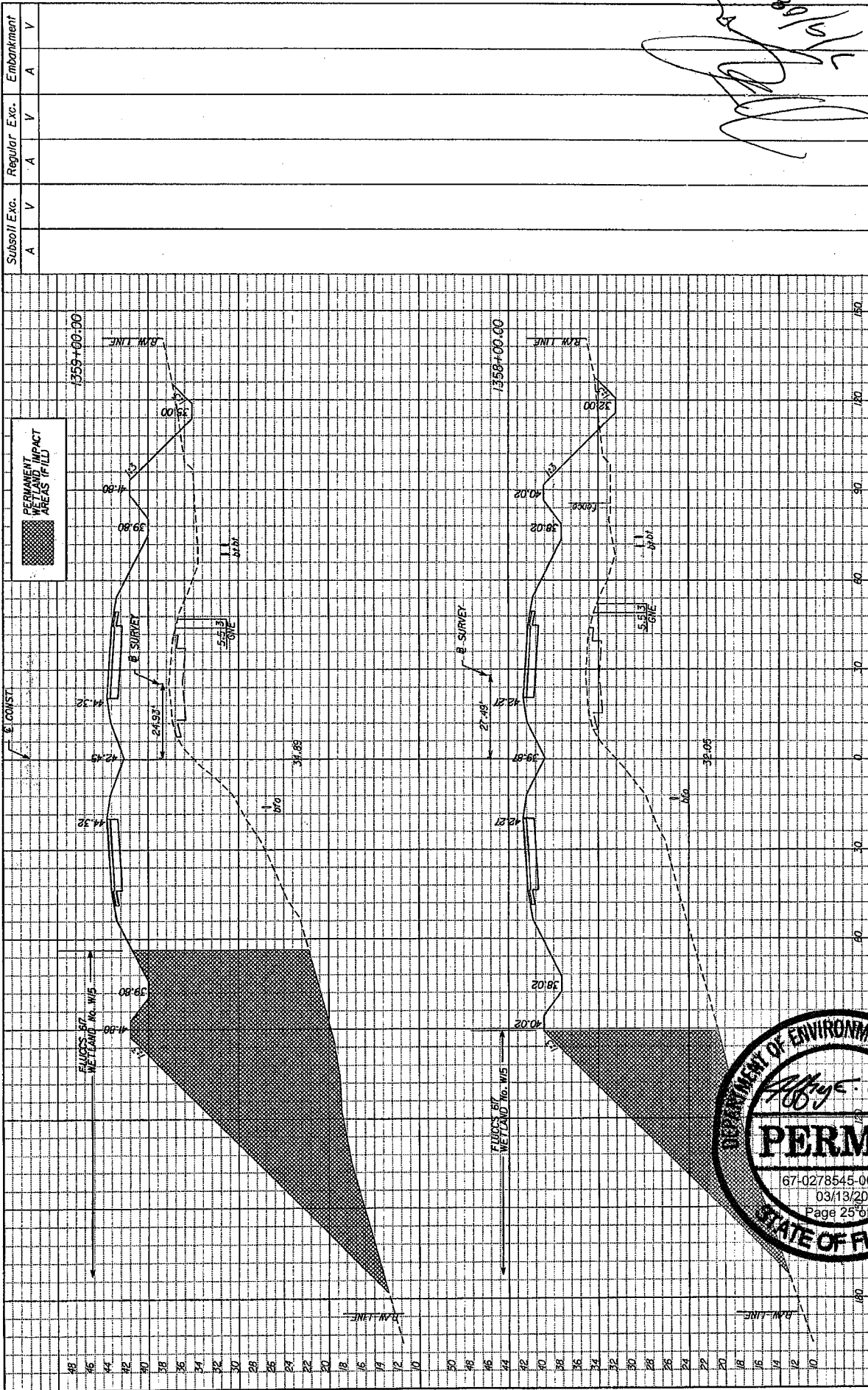
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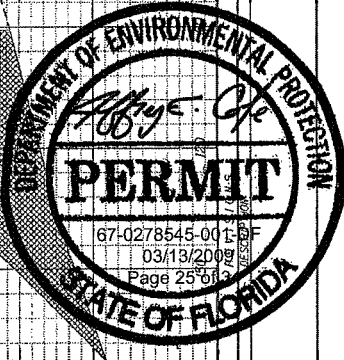
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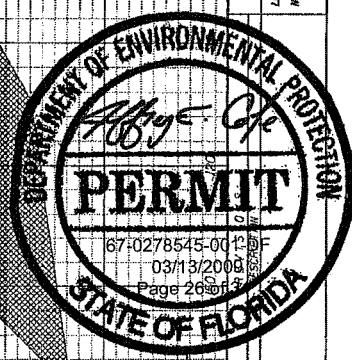


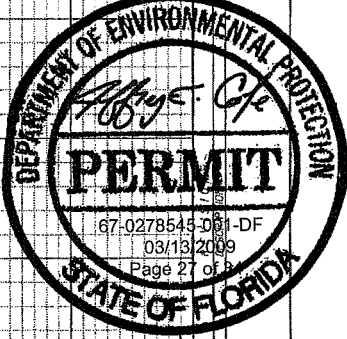
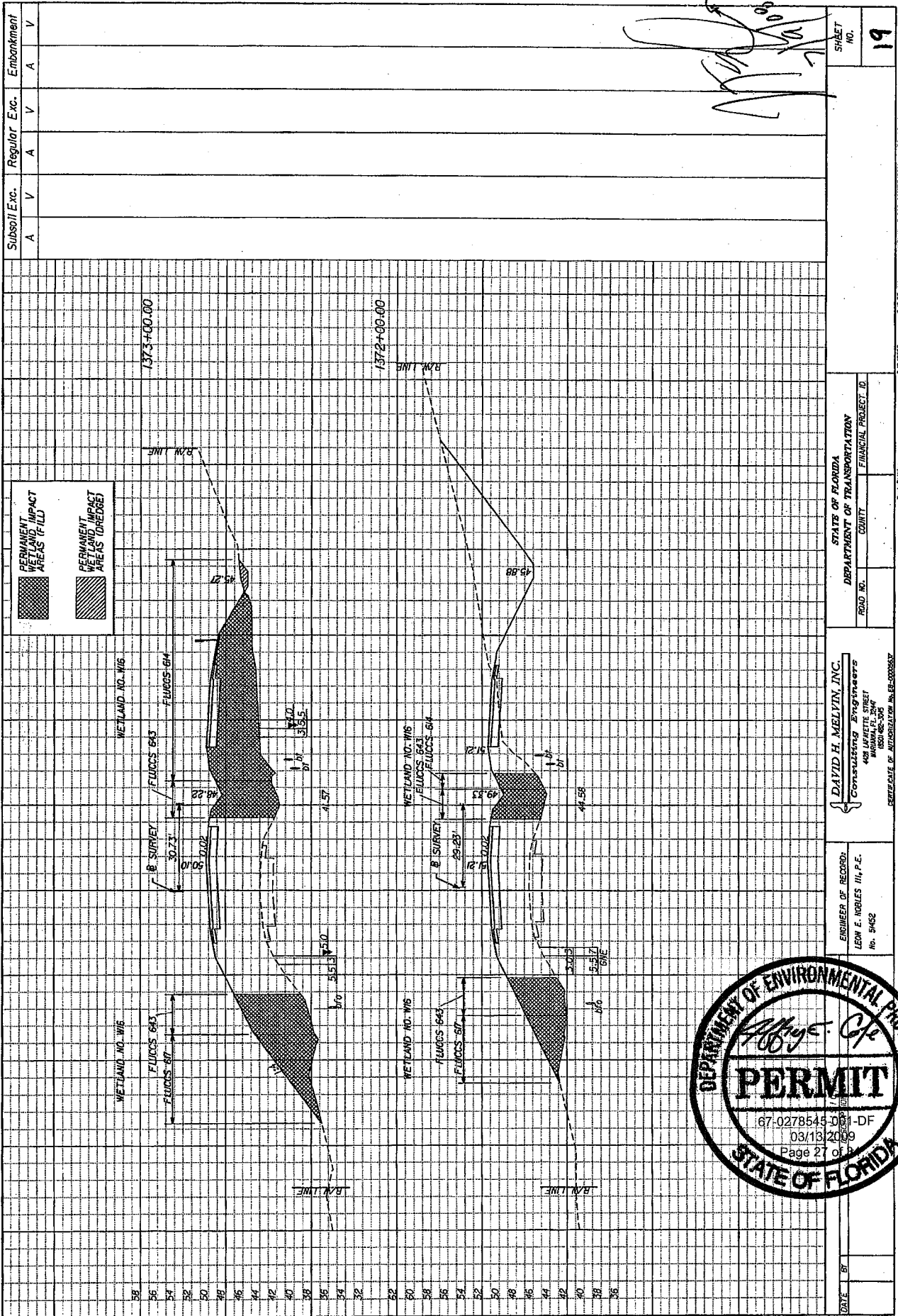


PERMANENT  
WETLAND IMPACT  
AREAS FILL



|  |    |   |              |
|--|----|---|--------------|
| DATE   | BY | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. COUNTY FINANCIAL PROJECT ID  | SHEET<br>NO. |
|  |    | DAVID H. MELVIN, INC.<br>CONSULTING ENGINEERS<br>408 LINDSEY STREET<br>MIAMI, FL 33144<br>(305) 462-3005<br>STATE OF FLORIDA REG. NO. 65-260557 | 17           |
| ENGINEER OF RECORD:<br>LEW E. NOBLES III, P.E.<br>No. 5462 |    | VMEUNP-07-00774520 WET-03-0500-00   |              |





|      |    |  |   |  |                 |
|------|----|--|---|--|-----------------|
| DATE | BY | ENGINEER OF RECORD:<br>LEW E. NOBLES III, P.E.<br>No. 9492 | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>408 W. WHITE STREET<br>MIAMI, FL 33134<br>TEL: 305-385-1000<br>FAX: 305-385-1001<br>WWW.DHME.COM | STATES OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. 116<br>COUNTY FINANCIAL PROJECT ID | SHEET NO.<br>19 |
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

*J. H. C. C. C.*

**PERMIT**

0278543-001 DE

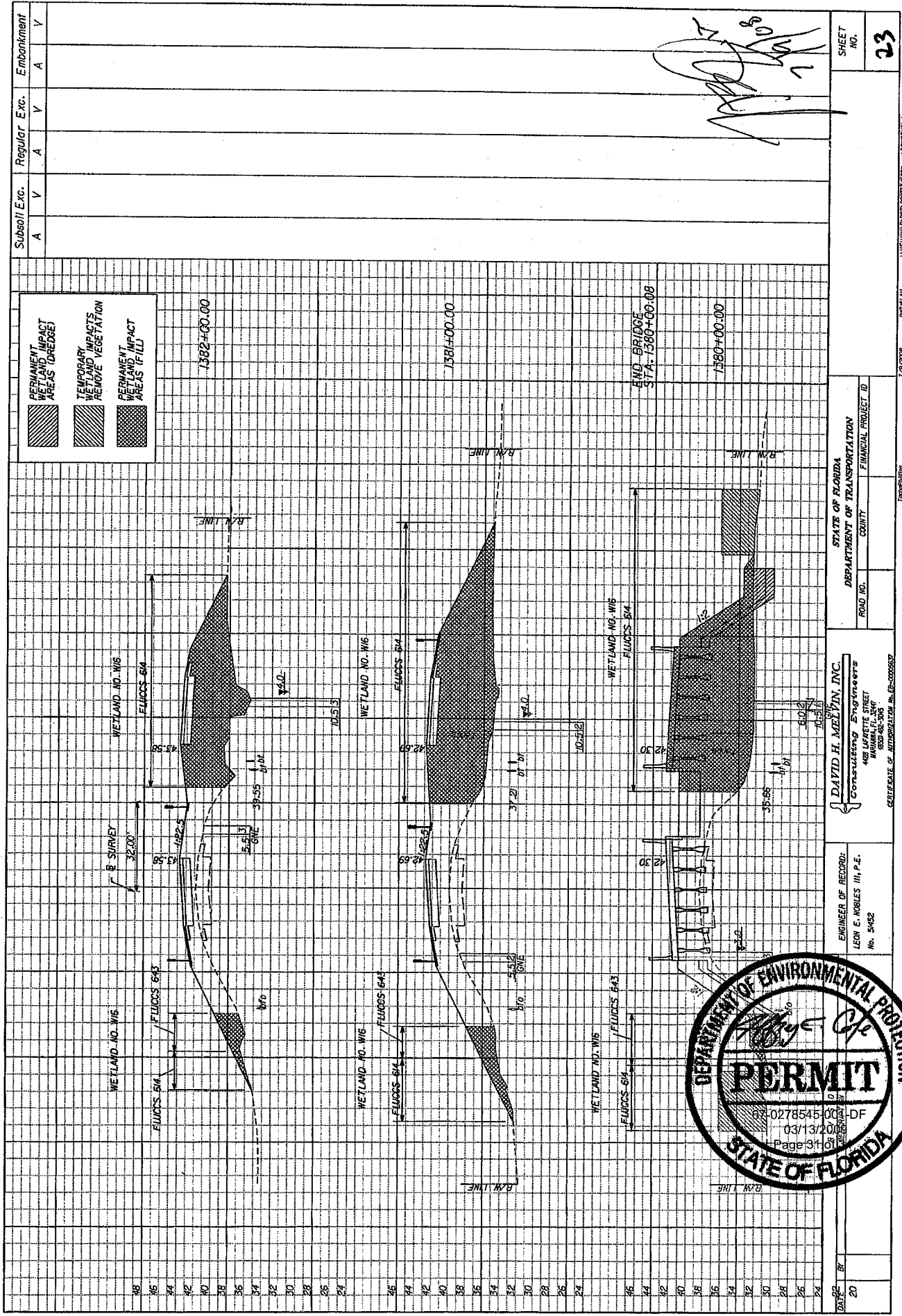
03/13/2008

Page 28 of 3

STATE OF FLORIDA

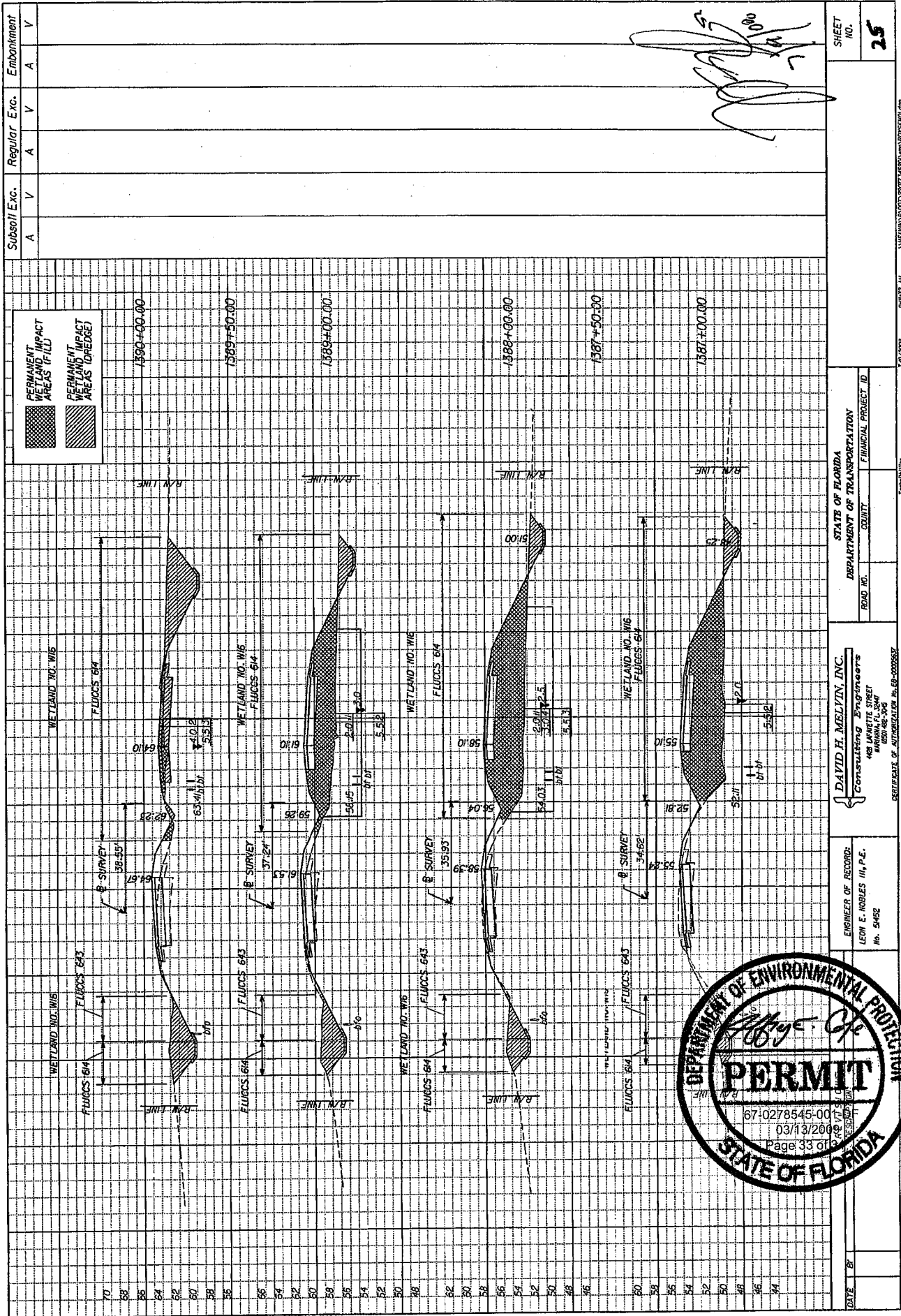






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|-----------------------|--|------------------------------|--|--------------------------------------|--|
| DATE BY               |  | 20                           |  | 23                                   |  |
| ENGINEER OF RECORD:   |  | LEW E. NOBLES III, P.E.      |  | No. 5462                             |  |
| CONSULTING ENGINEERS: |  | DAVID H. MELVIN, INC.        |  | 1400 W. 11TH AVE.<br>MIAMI, FL 33135 |  |
| STATE OF FLORIDA      |  | DEPARTMENT OF TRANSPORTATION |  | FINANCIAL PROJECT ID                 |  |
| ROAD NO.              |  | COUNTY                       |  | SHEET NO.                            |  |
| 1/3/2008              |  | SPT 15 11                    |  | 1/3/2008                             |  |



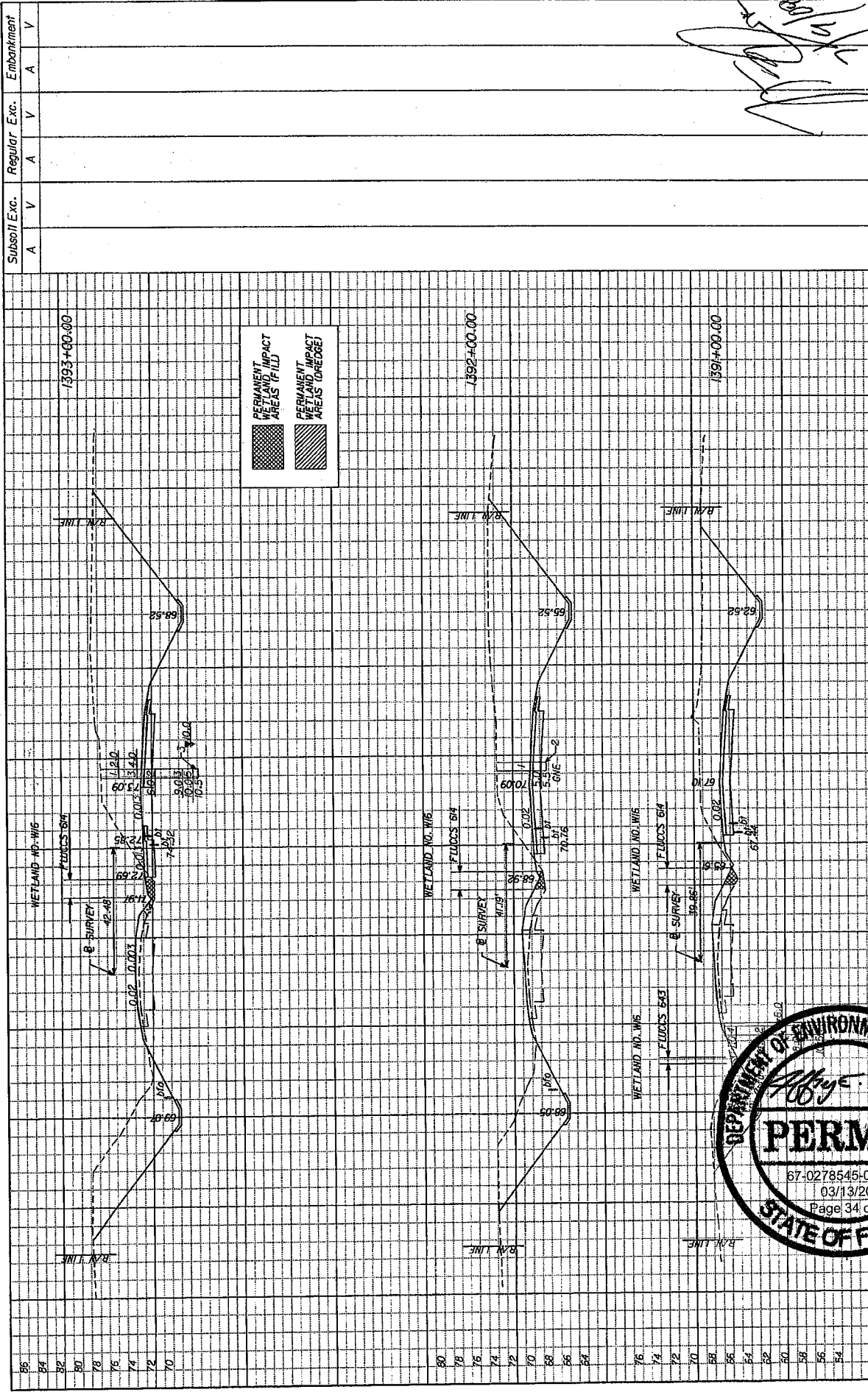


PERMANENT WETLAND IMPACT AREAS (DREDGE)

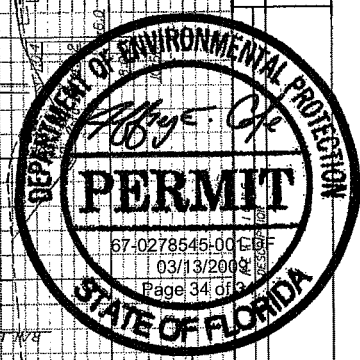
PERMANENT WETLAND IMPACT AREAS (DREDGE)

|      |    |   |  |  |                 |
|------|----|---|--|--|-----------------|
| DATE | BY | ENGINEER OF RECORD:<br>LEON E. NOBLES III, P.E.<br>No. 5452 | DAVID H. MELVIN, INC.<br>Consulting Engineers<br>403 LAUREL STREET<br>MIAMI, FL 33136<br>(305) 371-0000<br>CERTIFICATE OF AUTHORIZATION No. 69-0005537 | STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>ROAD NO. COUNTY FINANCIAL PROJECT ID | SHEET NO.<br>25 |
|------|----|---|--|--|-----------------|

7/9/2008 5:03:32 AM \\NETDRM1\PROJECTS\2007\4587\4587.dwg V:\055504.dwg



|   |   |              |   |            |   |
|---|---|--------------|---|------------|---|
| Subsoil Exc.  |   | Regular Exc. |   | Embankment |   |
| A   | V | A            | V | A          | V |
| <div style="display: flex; justify-content: space-between;"> <div> <p>STATE OF FLORIDA<br/>DEPARTMENT OF TRANSPORTATION</p> <p>ROAD NO. COUNTY FINANCIAL PROJECT ID</p> </div> <div> <p>DAVID H. MELVIN, INC.<br/>Consulting Engineers<br/>408 LAUREL STREET<br/>MIAMI, FL 33136<br/>No. 5462</p> </div> <div> <p>ENGINEER OF RECORD:<br/>LEON E. NOBLES III, P.E.<br/>No. 5462</p> </div> </div> |   |              |   |            |   |
| <p>DATE: 03/13/2008</p> <p>67-0278545-00</p> <p>03/13/2008</p> <p>Page 34 of 34</p>   |   |              |   |            |   |
| <p>13/2008 5:09:43 AM V:\E:\P\07\2007\AS20\new\03052008.dwg</p>   |   |              |   |            |   |



AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineered drawings to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-2907.

1. Department of the Army Permit Number: \_\_\_\_\_

2. Permittee Information:

Name \_\_\_\_\_

Address \_\_\_\_\_

3. Project Site Identification:

Physical location/address \_\_\_\_\_

4. As-Built Certification:

I hereby certify that the authorized work has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

\_\_\_\_\_  
Signature of Engineer

\_\_\_\_\_  
Name (Please type)

\_\_\_\_\_  
Florida Reg. Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

(Affix Seal)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

Deviations from the approved plans and specifications: (attach additional pages if necessary)

U.S. Army Corps of Engineers  
Permit # 545-2007-3635  
Date: 3/16/09  
Attachment: 3



# Statement of Findings

Number: \_\_\_\_\_



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CESAJ-RD-NC (1145b)  
SAJ-2007-3635 (IP-AWP)

NOV 18 2008

MEMORANDUM FOR RECORD

SUBJECT: Department of the Army Environmental Assessment and  
Statement of Findings for the Above-numbered Permit Application

1. Applicant: Florida Department of Transportation (FDOT)  
District III  
P.O. Box 607  
Chipley, FL 32428

2. Location, Project Description, Existing Conditions: The project involves the widening of approximately 6.5 miles of State Road (SR) 79 from Strickland Road to Potter Springs Road. The proposed widening will impact unnamed wetlands adjacent to SR 79 as well as a crossing over Mill Creek (A.K.A. Reedy Creek). The project is located in Sections 03, 04, & 09, Township 01 North, Range 16 West, and Section 34, Township 02 North, Range 16 West, Washington County, Florida.

The applicant proposes to impact 8.57 acres of waters of the United States (wetlands) for the widening of approximately 6.5 miles of SR 79 from Strickland Road to Potter Springs Road. Impacts are confined to the northern most 1.5 mile stretch of the project and scattered in several locations within the northern area.

The applicant has identified five wetland systems that would be impacted by the proposed project. The wetland system consists of forested and herbaceous freshwater systems. The applicant has further subdivided each wetland by vegetation type and identified 19 distinct vegetation types within the corridor. The applicant has completed a functional assessment and determined the wetlands proposed for impact exhibit an above average functional score averaging approximately 0.64 (UMAM score).

The applicant completed the approved jurisdictional determination and the U.S. Army Corps of Engineers (Corps) concluded wetlands A and 12 are not jurisdictional because of their isolated nature (SWANCC).

3. Basic: Widen existing roadway.

Overall: Widen SR 79 from Strickland Road to Potter Springs Road to include four lanes and storm water management features.

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SUBJECT: Department of the Army Environmental Assessment and Statement of Findings on the Above-Numbered Permit Application.

4. Scope of Analysis: The scope of analysis was limited to the project site and included endangered species, essential fisheries habitat concerns, and cultural resources.

5. Statutory Authority: Section 404 of the Clean Water Act (33 U.S.C. 1344).

6. Other Federal, State, and Local Authorizations Obtained or Required and Pending:

a. State Permit/Certification: The Department of Environmental Protection (DEP) permit number 67-0278545-001-DF was issued on 13 March 2009.

b. Coastal Zone Management (CZM) consistency/permit: There is no evidence or indication from the State of Florida that the project is inconsistent with the Florida Coastal Zone Management Plan. Issuance of a DEP permit certifies that the project is consistent with the CZM plan.

c. Other Authorizations: No information has been received regarding any other authorizations that may be required.

7. Date of Public Notice and Summary of Comments

a. The application was received on 15 June 2007. Additional information was requested 2 July 2007. The application was considered complete on 28 March 2008. A public notice was issued on 8 May 2008, and sent to all interested parties including appropriate State and Federal agencies. All comments received on this application have been reviewed and are summarized below:

(1) Environmental Protection Agency (EPA): Did not respond to the public notice.

(2) U.S. Fish and Wildlife Service (FWS): By letter dated 5 June 2008, the FWS provided a response pursuant to the Endangered Species Act and Fish and Wildlife Act. See paragraph 10(f) for complete details.

(3) National Marine Fisheries Service (NMFS): By letter dated 3 June 2008, the NMFS had no objection to the proposed project. NMFS suggested the stormwater treatment system be upgraded to prevent degraded water from reaching downstream estuarine habitats.

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(4) State Historic Preservation Officer (SHPO): SHPO responded by letter dated 12 June 2008, stating the project will not impact historic properties.

(5) No comments were received from State or Local agencies, organizations, individuals or any other interested party.

b. Applicant's response to the comments: The applicant was asked to complete an approved jurisdictional determination in accordance with the Rapanos guidance. The applicant submitted the jurisdictional determination on 23 June 2008. The determination was coordinated with EPA and USACE headquarters via electronic mail dated 8 August 2008. No response was received and the jurisdictional determination has been approved.

#### 8. Alternatives:

a. Avoidance (No action, uplands, availability of other sites): The applicant evaluated the widening of SR 79 by completing a Project Development and Environmental (PD&E) Study. The PD&E evaluated the no build alternative, alternative corridors, alternative alignments, project costs, traffic counts, and evacuation routes.

SR 79 is part of the Florida Intrastate Highway System and a designated Emergency Evacuation Route for the coastal population of Bay and Walton Counties. The no build alternative would not allow for project completion. Additionally, significant traffic safety concerns along SR 79 would most likely occur if the project were not constructed. Alternative corridors would not be feasible due to cost and environmental impacts associated with relocating the roadway. The applicant evaluated alternative alignments which shift the road, but determined widening from the center alignment would have the least amount of environmental and relocation impacts. Additionally, cost would be considerably less if the road were widened from the center alignment.

b. Minimization (modified project designs, etc.): The project has been minimized to the maximum extent possible while still allowing the applicant to achieve the project purpose. The road has been designed to meet State of Florida roadway design standards which dictate design width for a particular design speed. The applicant was not asked to further explore

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minimization alternatives beyond those already achieved; given the design constraints of the proposed roadway.

c. Compensatory Mitigation (Wetland enhancement, creations, etc.): The applicant has completed a functional assessment of directly impacted wetlands. Direct impacts to 7.21 acres of wetlands will eliminate 5.09 functions and values. Secondary impacts will eliminate 2.5 functions and values. Secondary impacts were reduced due to the introduction of stormwater management systems which will reduce pollutant loading and discharge frequency.

Wetland impacts for this project will be mitigated through the Northwest Florida Umbrella, Watershed-Based, Regional Mitigation Plan (PLAN), as defined in the agreement between the Northwest Florida Water Management District (NFWFMD) and the U.S. Army Corps of Engineers (Corps), Jacksonville District, 31 July 2006. Wetland impacts for this project will be mitigated through the acquisition of federal credits from the approved Sand Hill Lakes Mitigation Bank, SAJ-2002-5061(NW-DEB). The applicant will acquire 7.6 credits from the mitigation bank. The bank has sufficient credits available for purchase. The inclusion of a compensatory mitigation special condition will ensure the project meets the 404(b)(1) guidelines.

9. Evaluation of the 404(b)(1) Guidelines: The proposed project has been reviewed in accordance with the 404 (b)(1) Guidelines. The review shows that all the alternatives have been reviewed and it has been adequately demonstrated that the proposed alternative is the least environmentally damaging and only practicable alternative considering cost, existing technology and logistics. It would not cause or contribute to violations of State Water quality standards, jeopardize the existence of any endangered species or impact a marine sanctuary. No significant degradation would be expected and all appropriate and practicable steps have been taken to minimize impacts.

10. Public Interest Review:

a. Corps analysis of comments and responses: All comments received in response to the public notice have been considered in the following public interest review.

b. All public interest factors have been reviewed, including but not limited to the effects the work might have on

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conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, land use, recreation, water quality, safety, and consideration of property ownership. It has been determined that the proposed work will not adversely impact any of the public interest factors. The inclusion of a special condition requiring the use of compensatory mitigation will further insure the public interest factors listed above will not be impacted by the project as proposed.

c. Describe the relative extent of the public and private need for the proposed structure or work: Public benefits include employment opportunities and a potential increase in the local tax base during construction, travel safety, decreased travel delays, and increased mobility.

d. Describe the practicability of using reasonable alternative locations and methods to accomplish the objective of the proposed work where there are unresolved conflicts as to resource use: There are no unresolved conflicts regarding resource use.

e. Describe the extent and permanence of the beneficial and/or detrimental effects which the proposed work is likely to have on the public and private uses to which the area is suited: Detrimental impacts are expected to be minimal although they would be permanent in the construction area. The beneficial effects for public transportation may include an increase in public safety, increased carrying capacity of the roadway and the more effective movement of vehicular traffic. The increased carrying capacity may also facilitate intrastate/interstate commerce.

f. Threatened or Endangered Species: The FWS previously provided concurrence with the applicant's determination that the proposed work may affect, but is not likely to adversely affect, resources protected by the Endangered Species Act (FWS # 4-P-01-225 and #4-P-03-106), specifically the flatwoods salamander. Copies of these letters are included in the administrative record. FWS also provided comments pursuant to the Fish and Wildlife Coordination Act requesting additional information regarding compensatory mitigation, secondary impacts, and the possibility of wildlife crossings. FWS participated in the mitigation review process at the July 2008 Umbrella Mitigation

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Plan Mitigation Review Team meeting in Panama City, Florida and concurred with the project and the mitigation proposed.

g. Essential Fisheries Habitat (EFH): The public notice included an initial determination that the project would not have an adverse impact on EFH or Federally managed fisheries. The NMFS did not provide any EFH conservation recommendations in response to the public notice. Therefore, the Corps is satisfied that the consultation procedures outlined in 50 CFR Section 600.920 of the regulation to implement the EFH provisions of the Magnuson-Stevens Act have been met.

h. Corps Wetland Policy: The proposed wetland alteration is necessary to realize the project purpose and should result in minimal adverse environmental impacts. The benefits of the project would outweigh the minimal detrimental impacts. The project would result in a no-net loss of wetland functions and values. Therefore the project is in accordance with the Corps wetland policy.

i. Cumulative and Secondary Impacts: Filling of wetlands at this project site would not set precedent for additional filling activities in waters of the United States to occur. The applicant has proposed compensatory mitigation within the same drainage basin as the impacts which will reduce cumulative impact within the basin. The applicant will implement Best Management Practices and erosion control measures to reduced potential secondary impacts. The applicant is also introducing storm water management along the roadway which will reduce pollutant loading and sedimentation.

j. Corps Comments and Responses: Full consideration was given to all comments received during the public notice. Some comments provided by FWS are beyond the scope of our purview; specifically future wildlife crossings. FWS as the agency charged with protection of federally listed species should take the lead to initiate discussions with property owners regarding wildlife crossings and develop conservation management plans.

#### 11. Determinations:

a. Finding of No Significant Impact (FONSI). Having reviewed the information provided by the applicant and all interested parties and an assessment of the environmental impacts, I find that this permit action will not have a

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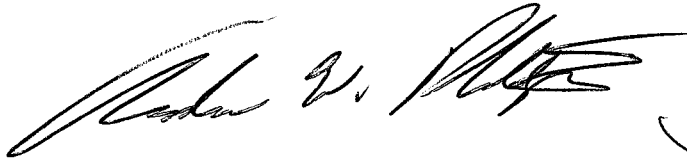
significant impact on the quality of the human environment.  
Therefore, an Environmental Impact Statement will not be  
required.

b. Compliance with 404(b)(1) guidelines. Having completed  
the evaluation in paragraph 7 above, I have determined that the  
proposed discharge complies with the 404(b)(1) guidelines.

c. Public interest determination: I find that issuance of  
a Department of the Army permit is not contrary to the public  
interest.

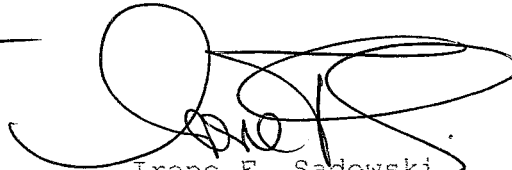
d. Section 176(c) of the Clean Air Act General Conformity  
Rule Review: The proposed permit action has been analyzed for  
conformity applicability pursuant to regulations implementing  
Section 176(c) of the Clean Air Act. It has been determined that  
the activities proposed under this permit will not exceed *de*  
*minimis* levels of direct emissions of a criteria pollutant or its  
precursors and are exempted by 40 CFR Part 93.153. Any later  
indirect emissions are generally not within the Corps' continuing  
program responsibility and generally cannot be practicably  
controlled by the Corps. For these reasons a conformity  
determination is not required for this permit action.

PREPARED BY:



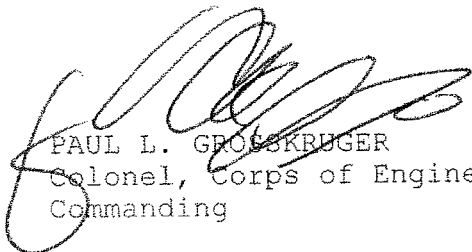
ANDREW W. PHILLIPS  
Project Manager

REVIEWED BY:



Irene F. Sadowski  
Chief, Cocoa Permits  
Section

APPROVED BY:



PAUL L. GROSSKRUGER  
Colonel, Corps of Engineers  
Commanding

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CF:  
CESAJ-RD-PE